South East Essex Academy Trust

SEEAT Suspensions and Permanent Exclusions Policy 2026

Title	Suspensions and Permanent Exclusions Policy 2026
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Owner	SEEAT
Status	4th review
Ratified Date	24th September 2026
Ratified by	Education Committee
Review Cycle	Annual
Review Date	September 2027

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1. Introduction

Good behaviour in schools is integral to ensuring that all pupils benefit from the opportunities provided by education. Therefore, the government recognises that school suspensions, exclusions, managed moves and off-site direction are essential behaviour management tools for Head Teachers and can be used to establish high standards of behaviour in schools and maintain the safety of school communities.

For the vast majority of pupils, suspensions and permanent exclusions will not be necessary, as other strategies can be used to manage behaviour. However, if approaches towards behaviour management have been exhausted, then suspensions and permanent exclusions will sometimes be necessary as a last resort. This is to ensure that other pupils and staff are protected from disruption and can learn in safe, calm and supportive environments. Exclusion is an extreme sanction and will be avoided wherever possible. In the majority of cases, students demonstrating unacceptable behaviour will be sanctioned appropriately in line with the individual schools Behaviour Policy and the Trusts Behaviour for Guiding Principles. By this means, students whose behaviour transgresses the standards of the school will be held to account for their actions, but their work will suffer less than if they were excluded from school.

This policy operates alongside the schools Behaviour Policy and has regard to DfE guidance Restrictive interventions, including use of reasonable force, in schools (2026). Any use of restrictive intervention is a safety response and not a disciplinary sanction.

For further detail of internal exclusion please see the policy for each school. With regard to the above, the decision to recommend a student for suspension or permanent exclusion will be taken in the following circumstances:

▪ In response to a serious breach of the Behaviour Policy and/or school rules and expectations as laid out in each school's Behaviour Policy, beyond that which would result in referral to the isolation room or seclusionroom; and

▪ If allowing the student to remain in school would seriously harm the education or welfare of the student or other students in the school. In determining any exclusion, headteachers will take due consideration of the Equality Act 2010 and the SEND Code of Practice.

Equal Opportunities

South East Essex Academy Trust recognises that it is unlawful to exclude a pupil based on their gender, colour, race, nationality, ethnic or national origin, disability, religious beliefs, age, or sexual orientation. The Trust monitors suspension and exclusion data by pupil group (e.g. SEND, gender, ethnicity, disadvantage, looked after) to ensure sanctions are not being applied disproportionately.

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2. Aims

This policy deals with the policy and practice which informs the use of exclusion by the schools in The South East Essex Academy Trust (SEEAT). It is underpinned by the shared commitment of all members of the school community to achieve two important aims:

- Ensure the safety and well-being of all members of the Trust's community, and to maintain an appropriate educational environment in which all can learn and succeed; and
- Reduce the need to use exclusion as a sanction. We are committed to following all statutory exclusions procedures to ensure that every child receives an education in a safe and caring environment.

Our schools aim to:

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

3. Definitions

Internal Isolation

Internal isolation is when a student is excluded from the rest of the school and must work away from their class for a fixed amount of time. This will often be in a different part of the school. Internal isolation is a discretionary measure, where a pupil's behaviour is escalating and more serious measures need to be taken, but there are not yet grounds for a suspension or exclusion. Typically, a child receiving a consequence of this level should be receiving additional support for their behaviour, intended to help them avoid their behaviour escalating to a point where a suspension is necessary. Internal isolation is not a suspension and does not engage statutory exclusion processes.
Internal isolation must be reasonable, proportionate, time-limited and supervised. Schools must ensure pupils continue to access education and appropriate welfare support.

Suspension

Suspension is a fixed period of exclusion (from here on referred to as a suspension) when a pupil is temporarily removed from school for a fixed period is an essential behaviour management tool that should be set out within the school's behaviour policy.

The length of a suspension will depend upon a number of factors, such as the severity of the incident, and the likely impact on the child's learning and ability to succeed on returning to school. Such decisions will be made in the best interests of the child and their peers, whilst also mindful of the need to reinforce the rules and expectations of the school in a clear and consistent way. A suspension should be for the shortest time necessary to ensure minimal disruption to the child's education, whilst mindful of the seriousness of the breach of policy. A pupil may be suspended for one or more fixed periods (up to a maximum of 45 school days in a single academic year). A suspension does not have to be for a continuous period. A lunchtime suspension counts as a half school day. All statutory requirements (including notifying parents, the LA, and recording in the register) apply. Lunchtime suspensions must only be used where proportionate, and alternative arrangements (such as supervised lunch provision) should be considered first.

Permanent Exclusion

A permanent exclusion is when a pupil is no longer allowed to attend school (unless they are reinstated). They will be removed from the school roll.

Lawful reasons for a pupil suspension or exclusion:

Any decision of a Head Teacher, including the decision to suspend or permanently exclude a pupil, must be made in line with the principles of administrative law, i.e. that it is: lawful (with respect to the legislation relating directly to suspensions and permanent exclusions and a school's wider legal duties); reasonable; fair; and proportionate.

A pupil may only be permanently excluded for the following reasons:

● a single serious breach or persistent breaches of the school's behaviour policy; and

● where allowing the pupil to remain in school would seriously harm the education or welfare of the pupil or others in the school (staff, pupils, volunteers and visitors).

Any suspension or exclusion will be the decision of the Head Teacher, usually in consultation with other members of the senior leadership team (particularly if they were involved in investigating the incident) and a member of the Education Executive. The civil standard of proof must be applied, i.e 'on the balance of probabilities', rather than the legal standard of 'beyond reasonable doubt'.

The physical and emotional health of our children and staff is our primary concern, and we therefore accept that in some serious situations permanent exclusion may be necessary if all other strategies have been exhausted.

Off-site Direction (OSD)

An off-site direction is where a school requires a pupil to attend another education setting temporarily to improve behaviour or engagement with education.

Managed Move

A managed move is when a pupil is transferred to another school. All parties, including parents and the admission authority for the new school, should consent before a managed move occurs. A 'managed move' may be proposed and organised to avoid permanent exclusion with the agreement of school leaders and parents/carers. It may be suggested following a number of behaviour interventions where none has been successful or, in exceptional circumstances, following a serious 'one off' incident.

4. What happens when a pupil's behaviour is becoming a concern?

Safeguarding considerations

A suspension or exclusion will not be enforced if doing so may put the safety of the pupil at risk. In cases where parents will not comply by, for example, refusing to collect the child during the school day, the child's welfare is the priority. In this situation, depending on the reason for the suspension or exclusion, the school may consider an internal isolation until the end of the day, implementing the original suspension or exclusion decision from the time the child is collected from school, or, in more serious circumstances, the school may contact Social Care and/or the Police to safely take the pupil off site. If a behavioural incident also involves safeguarding issues, the school must have regard to Keeping Children Safe in Education, particularly Part 5 (child-on-child sexual violence and sexual harassment). The Designated Safeguarding Lead should take a leading role in any decisions relating to a suspension or permanent exclusion, or the pupil's reintegration, seeking the support of other agencies, and undertaking risk assessments as appropriate. Consideration will be given where behaviour may be linked to safeguarding concerns, criminal exploitation, child sexual exploitation, county lines activity, coercion, grooming, online abuse, trauma or unmet welfare needs. Schools will ensure safeguarding concerns are investigated alongside behavioural incidents, and that exclusion is not used in place of appropriate safeguarding intervention.

Persistent or Accumulative problems

Internal isolation and suspension may be used in response to persistent poor behaviour which breaches school rules and policies. A suspension, where a pupil is temporarily removed from the school, is an essential behaviour management tool that should be set out within a school's behaviour policy.

Where suspensions are becoming a regular occurrence for a pupil, the school should consider whether suspension alone is an effective sanction for the pupil and whether additional strategies need to be put in place to address behaviour. Additional strategies could include joint action plans (e.g. behaviour support plan), behaviour interventions with pastoral staff, target setting, home/school communication book etc. Referrals may also be made to external agencies who may be able to support the pupil, family or school.

Consideration should be given to unidentified SEND needs that may be contributing to the behaviour e.g. difficulties with accessing the learning, sensory needs.

Support First and Early Help

Before considering suspension or permanent exclusion, schools will, wherever possible, take a graduated and supportive approach to addressing behaviour concerns. This may include pastoral support, early help assessment, attendance support, behaviour intervention plans, SEND assessment, reasonable adjustments, mentoring, family engagement, multi-agency working and referrals to external services. Suspension and permanent exclusion will normally only be considered where these measures have not been successful, are inappropriate due to the seriousness of the incident, or where immediate action is necessary to protect the welfare of others.

Behaviour outside of school

Schools have the power to sanction pupils for misbehaviour outside of the school premises to such an extent as is reasonable. The school behaviour policy describes how the school will respond to poor behaviour and bullying which occurs off the school premises or online, and where appropriate this could include suspension or permanent exclusion.

Behaviour occurring online, including the misuse of artificial intelligence, AI-generated imagery, manipulated images, online harassment, sexual harassment, bullying and abusive communications, may result in school sanctions, including suspension or permanent exclusion, where the behaviour has an impact on the welfare of pupils or the orderly running of the school.

Pupils with Special Educational Needs and Disabilities (SEND)

The school must take account of SEND when considering whether or not they will suspend or permanently exclude a pupil. The Head Teacher should ensure that reasonable adjustments, in line with the Equality Act 2010 have been considered and implemented where appropriate, so the pupil is not treated less favourably for reasons related to the disability.

If a pupil has an EHCP, contact should be made with the Local Authority who issue the EHCP about behavioural concerns, and consideration should be given to requesting an early annual review, prior to any decision to suspend or permanently exclude.

Evidence of early intervention or multi-disciplinary input being called upon to demonstrate that permanent exclusion is a last resort is essential for pupils with additional needs.

Other vulnerable pupils

Where a pupil has a social worker, because they are the subject of a Child in Need Plan or a Child Protection Plan, and they are at risk of suspension or permanent exclusion, the Head Teacher should inform their social worker, the

Designated Safeguarding Lead (DSL) and the pupil's parents to involve them all as early as possible in relevant conversations.

Where a looked-after child (LAC) is likely to be subject to a suspension or permanent exclusion, the Designated Teacher (DT) should contact the local authority Virtual School Head Teacher (VSH) as soon as possible. The VSH, working with the DT and others, should consider what additional assessment and support need to be put in place to help the school address the factors affecting the child's behaviour and reduce the need for suspension or permanent exclusion. Where relevant, the school should also engage with a child's social worker, foster carers, or children's home workers.

All looked-after children should have a Personal Education Plan (PEP) which is part of the child's care plan. This should be reviewed every term and any concerns about the pupil's behaviour should be recorded, as well as how the pupil is being supported to improve their behaviour and reduce the likelihood of exclusion. Monitoring of PEPs can be an effective way for VSHs to check on this.

5. Roles and responsibilities - the Headteacher

Deciding whether to suspend or exclude

The decision to exclude a student permanently is a serious one and will never be taken lightly; each case will be considered on its own merits.

Only the executive headteacher or headteacher can suspend or permanently exclude a pupil from school on disciplinary grounds. The decision can be made in relation to behaviour inside or outside of school. The headteacher will only use permanent exclusion as a last resort.

Where an incident includes the use of restrictive intervention or reasonable force, the headteacher will ensure that this is considered a safety response and not treated as a disciplinary sanction. Consideration will be given to regulation, SEND needs, de-escalation attempts, and whether exclusion is a proportionate response.

Making the decision to suspend a pupil

If the Head Teacher is considering suspending a pupil, before making that decision, he/she will:

● have a discussion with a member of the Head of Safeguarding, Attendance or Behaviour or the Chief Education Officer to ensure the suspension is lawful, reasonable, fair and proportionate

● ensure that there is sufficient recorded evidence to support the decision (the suspension and exclusion checklist may be used for this purpose) and evidence that alternative options were considered;

● ensure that the pupil has an opportunity to discuss the allegation or incident with the senior staff member appointed to investigate the situation, with support to express their views as appropriate e.g. a familiar adult present, use of augmented or other preferred alternative communication;

● consider any contributing factors (see Behaviour in Schools page 16) or provocation;

● ensure that the record of suspensions is reviewed so that the school is aware if the pupil will trigger the 45 days of suspension rule and become permanently excluded;

If the Head Teacher decides to suspend a pupil, he/she will:

● explain the decision to the pupil appropriately, if the pupil is in a state of mind to listen to the decision;

● contact the parents by telephone **at the earliest opportunity**, explain the decision and ask that the child be collected (if the parents cannot collect their child until the end of the day, an internal isolation should be considered ahead of the suspension);
● notify the LA regardless of the length of the suspension **without delay**;
● send a letter to the parents, without delay, confirming:

- the reasons for the suspension
- the length of the suspension
- details of the reintegration meeting, together with up-to-date links to sources of impartial advice and information about the parent's right to make representations to the Local Governing Board regarding reinstatement, where applicable

● ensure that any social workers or the Virtual School Head are advised if the child is in receipt of these services, **without delay**;
● ensure that appropriate work is set and that arrangements are in place for it to be returned and marked;
● plan how to address the pupil's needs and integration back into school/class on their return;
● plan a meeting with parents and the pupil on his/her return to be conducted by a suitable senior member of staff (pupils must not be prevented from returning to class if parents cannot attend a reintegration meeting);
● ensure accurate recording of the suspension on the register/ suspensions log/ behaviour records and any Local Authority reporting systems (recording of suspensions should mirror the register, for example, a pupil suspended in the morning and missing afternoon registration is recorded as a half day suspension);
● from the sixth school day of any suspension the school arrange suitable full-time education;

● complete the Suspension and Exclusion Checklist in Appendix 1 and include in exclusion and suspensions record keeping.

Making the decision to permanently exclude a pupil

If the Head Teacher is considering permanently excluding a pupil, before making that decision he/she will:
● have a discussion with the Head of Safeguarding, Attendance or Behaviour or the Chief Education Officer to ensure the exclusion is lawful, reasonable, fair and proportionate
● ensure that there is sufficient recorded evidence to support the decision by appointing a senior leader to investigate the incident and considering all evidence available, (the suspension and exclusion checklist may be used for this purpose) and evidence that alternative options were considered;
● ensure that the pupil has an opportunity to discuss the allegation or incident with the senior staff member appointed to investigate the situation, with support to express their views as appropriate e.g. a familiar adult present, use of alternative communication system in keeping with the needs of the pupil;
● consider any contributing factors (see Behaviour in Schools page 16) or provocation; If the Head Teacher decides to permanently exclude a pupil, he/she must:

- inform the parents, Local Governing Body and Local Authority, the Head of Safeguarding, Attendance or Behaviour or the Chief Education Officer, and where appropriate the pupil's social worker and/or Virtual School Head, without delay, clearly setting out all reasons for the exclusion, and;

● provide up-to-date links to sources of impartial advice for parents and information about the parents' right to make representations to the Local Governing Board Pupil Discipline Committee and, where applicable, request an Independent Review Panel

● ensure that the pupil receives work for the first five days of the permanent exclusion (from Day 6 it is the responsibility of the Local Authority where the child lives to arrange education);
● ensure that the Clerk to the governing body is made aware of any request to appeal the permanent exclusion.

The Local Authority has a duty to record all suspensions and permanent exclusions, and as such, the Head Teacher must ensure that local reporting procedures are followed.

Informing parents and guardians

If a pupil is at risk of suspension or exclusion the headteacher will inform the parents as early as possible, to 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.

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

The parents 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' right to make representations about the suspension or permanent 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 hold a meeting to consider the reinstatement of a pupil, and that parents (or the pupil 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 headteacher will also notify parents 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 school 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 are legally required to ensure that their child is not present in a public place during school hours without a good reason. This will include specifying on which days this duty applies
- 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, 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 pupil needs in order to identify the person they should report to on the first day

If the headteacher 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 school reserves the right to provide the information with less than 48 hours' notice, with parents' consent.

Cancelling exclusions

The Head Teacher has the right to withdraw, or cancel, an exclusion that has not yet been reviewed by the governing body. If the Head Teacher withdraws (cancels) an exclusion before the governing body has met to consider reinstatement, they must without delay notify in writing:

- the parents
- the local governing body
- The local authority;
- and where appropriate, the pupil's social worker and/or Virtual School Head.

The notification must include the reason for the cancellation. Parents will be offered the opportunity to meet with the headteacher to discuss the cancellation.

Any days spent out of school before cancellation still count towards the statutory 45-day limit.

A permanent exclusion cannot be cancelled 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 cancellation takes effect.

Notifying those within the governance structure

The headteacher will, without delay, notify the governing board of:

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

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

During the first 5 days of a suspension, if the pupil is not attending alternative provision (AP), the headteacher will take steps to ensure that achievable and accessible work is set and marked for the pupil. 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 is not possible, the school will take reasonable steps to set and mark work for the pupil, including the use of online pathways.

5.1 Roles and responsibilities - the Local Governing Board

The governing body's duty to consider an excluded pupil's reinstatement

Permanent exclusion or where a total number of days is greater than 15 in a term.

For the purposes of this policy, decisions relating to reinstatement are delegated by the Trust's governance structure to the Local Governing Board Pupil Discipline Committee (the committee). The committee must consider and decide whether to reinstate a suspended or permanently excluded pupil within 15 school days of receiving notification from the Headteacher where:

- the exclusion is a permanent exclusion
- the suspension would bring the pupil's total number of school days of suspension to more than 15 in a term; or
- the suspension or permanent exclusion would result in the pupil missing a public examination or National Curriculum test.

Suspensions of more than five days but less than 15 in a term

If a suspension would result in a pupil being excluded for more than five but no more than 15 days in a term and the parents make representations, the committee must meet within 50 school days of receiving the notice of suspension and decide whether the suspended pupil should be reinstated.

In the absence of any representations, the committee is not required to meet and cannot direct the reinstatement of the pupil.

Public examinations or national curriculum tests

Where a suspension or permanent exclusion would result in a pupil missing a public examination or national curriculum test, there is a further requirement for the committee. It must, so far as is reasonably practicable, consider and decide on the suspension or permanent exclusion before the date of the examination or test.

Suspensions less, or no more than, five days in a term

In the case of a suspension which does not bring the pupil's total number of days of suspension to more than five in a term, the committee must consider any representations made by parents, but it cannot direct reinstatement and is not required to arrange a meeting with parents.

Panel Meetings

The following parties must be invited to a meeting of the committee and allowed to make representations or share information:

- parents (and, where requested, a representative or friend);
- the pupil if they are 18 years or older;
- the Head Teacher;
- the child's social worker if the pupil has one; and
- the VSH if the child is looked after.

Meetings should be in person. Parents (if the pupil is under 18) or excluded pupils (if they are aged 18 years or older) can request a meeting to be held via the use of remote access, but this should not be a default option. Governing bodies must hold the meeting via the use of remote access, if the request has been made correctly.

Where legally required to consider reinstating a suspended or permanently excluded pupil, the committee must notify parents, the Head Teacher, and where relevant, the local authority, the pupil's social worker and/or the VSH of its decision, and the reasons for it, in writing and without delay. Where the pupil resides in a different Local Authority from the one in which the school is located, the committee` must also inform the pupil's home authority.

In the case of a permanent exclusion where the committee decides not to reinstate the pupil, the committee must write a notification letter to the parents and provide notice of the parents right to have the decision reviewed by an Independent Review Panel. The letter must contain all the information outlined in section 132 of the statutory guidance.

Procedure for appeal against a permanent exclusion

If parents wish to appeal against the decision to permanently exclude their child, the notification letter provided will provide information on the Independent Review Panel (IRP) process. Notification must be made by the parents within 15 working days of the notice from the committee of the decision not to reverse the permanent exclusion.

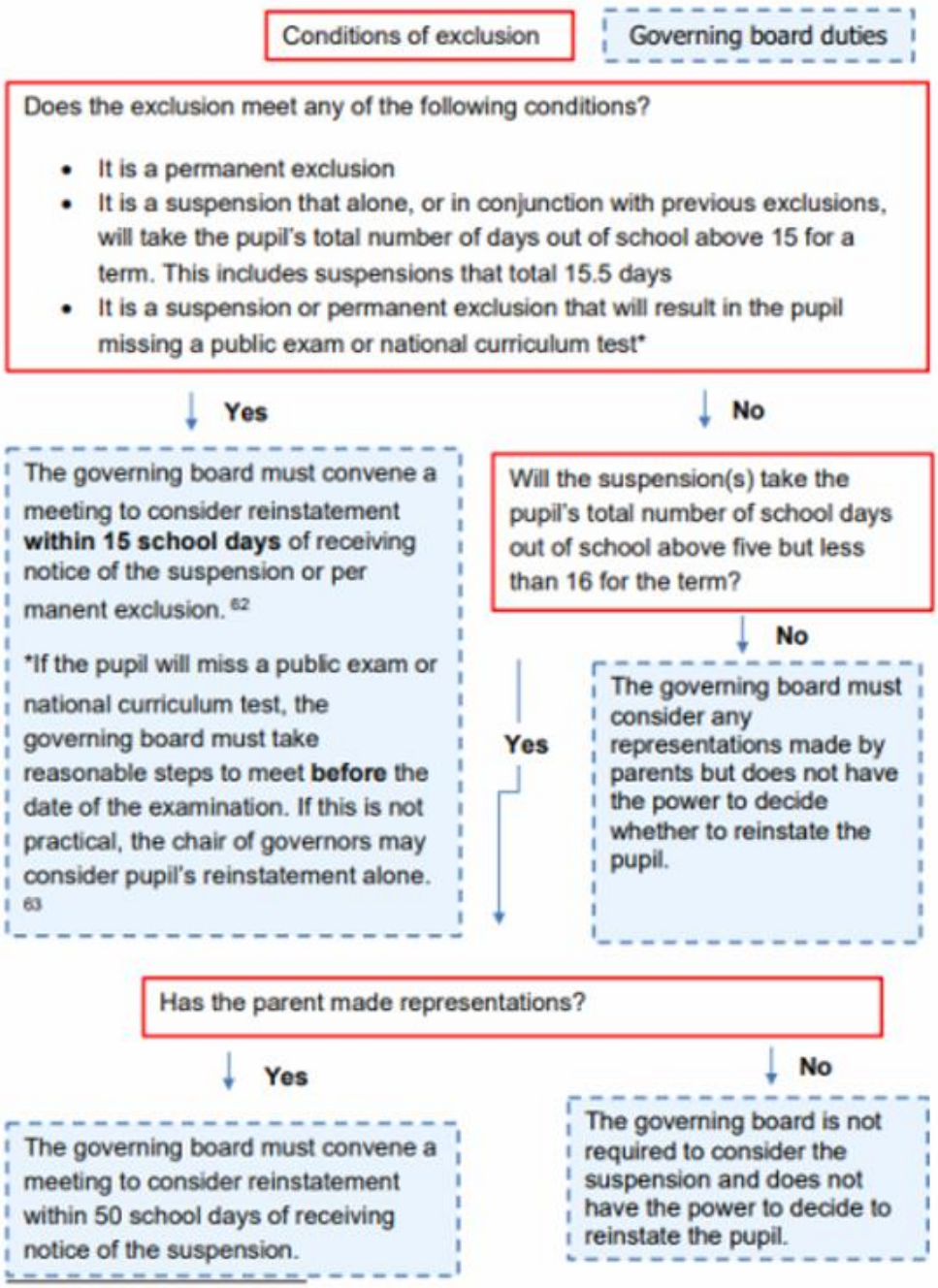
Independent Review Panel Stage

An IRP can make the following binding decisions:

- review the decision not to reinstate and uphold the decision of the committee
- quash the committee's decision and direct that them to reconsider reinstatement
- recommend the committee of governor's reconsiders reinstatement.

6. Summary Flow Chart – Governing Board’s Duties to Consider Reinstatement

A summary of the governing board's duties to consider reinstatement[61]



7. What happens during and after suspension?

Provision of schoolwork for a suspended pupil

It is important that during a suspension, pupils still receive their education. The Head Teacher should take steps to ensure that work is set and marked for pupils during the first five school days of a suspension or exclusion. This can include utilising any online pathways. Whilst the statutory duty is to arrange full-time education from the sixth school day of a suspension there is an obvious benefit to the pupil in starting this provision as soon as possible.

In the case of a looked-after child or child with a social worker, the school and the Local Authority should work together to arrange alternative provision from the first day following the suspension or permanent exclusion. From the sixth school day of any suspension, the school must arrange suitable full-time education. This may be provided at:

● another local school

● a Pupil Referral Unit (PRU)

● an approved alternative provision provider.

The provision must be full-time, appropriate to the pupil's age, ability and needs, and regularly monitored for quality and safeguarding purposes.

Where a child receives consecutive suspensions, these are regarded as a cumulative period of suspension for the purposes of this duty. This means that if a child has more than five consecutive school days of suspension, then education must be arranged for the sixth school day of suspension, regardless of whether this is because of one decision to suspend the pupil for the full period or multiple decisions to suspend the pupil for several periods. Re-integration prior to return from a suspension or a cancelled exclusion.

On return from a suspension (or a cancelled exclusion), the school will hold a reintegration meeting with the pupil and their parents where possible. This meeting will:

● communicate that the pupil is valued and welcomed back;

● review the reasons for the suspension and set strategies for improvement;

● offer support and, if appropriate, targeted interventions to the pupil and family as appropriate. *NB: Pupils must not be prevented from returning to class if parents cannot attend a reintegration meeting.*

8. What arrangements can be made as an alternative to suspension or permanent exclusion?

Off-site direction

A Head Teacher within SEEAT may, under the general powers granted to multi-academy trusts, arrange off-site provision for a pupil at another education setting. Where interventions or targeted support have not been successful in improving a pupil's behaviour, off-site direction should be used to arrange time-limited placements at an Alternative Provision, or another mainstream school. During the off-site direction to another school, the pupil must be dual registered. A proposed maximum period should be discussed and agreed upon as part of the planning phase for an off-site direction. Making the decision to give an off-site direction. If the Head Teacher decides to direct a pupil off-site he/she will:

● ensure that there is sufficient recorded evidence to support the decision;

● ensure that parents and the Local Authority (if the pupil has an EHCP) are notified in writing and provided with information about the placement as soon as practicable after the direction has been made, and no later than two school days before the relevant day;

● ensure that review meetings are held by representatives of the leadership team, and are planned for at such intervals as necessary during the off-site direction;

● ensure that the pupil is supported with reintegration should the off-site direction be terminated.

Governing boards should:

- Understand how off-site direction is being used

- Monitor patterns, frequency and equity
- Ensure it is not being used as an informal or unlawful exclusion
- Ensure they are satisfied that safeguarding is secure and educationally appropriate.

The procedure for reviewing Off-Site Directions is detailed in the schools' behaviour policy.

Managed move

In cases where the Head Teacher and parents agree that the progress of the pupil has been unsatisfactory and the pupil is unwilling or unable to profit from the educational opportunities offered, or if a parents' failure to engage in strategies implemented by the school are resulting in a continuing pattern of poor behaviour or lack of improvement in behaviour, the Head Teacher may consult with the Local Authority and/or with colleagues locally and within the Trust to propose a managed move to another school. This is not suspension or exclusion and in such cases the Head Teacher may assist the parents in placing the pupil in another school.

Removal from the school for other reasons

The Head Teacher may send a pupil home, after consultation with that pupil's parents and a health professional as appropriate, if the pupil poses an immediate and serious risk to the health and safety of other pupils and staff, for example because of a diagnosed illness such as a notifiable disease.

This is not an exclusion and should be for the shortest possible time. A pupil cannot be 'sent home' to cool off or for other reasons, including poor behaviour. An informal or unofficial exclusion, such as sending a pupil home 'to cool off', is unlawful when it does not follow the formal school exclusion process and regardless of whether it occurs with the agreement of parents.

Exercising undue influence over a parent to remove their child from the school under the threat of a permanent exclusion and encouraging them to choose Elective Home Education or to find another school place is known as off-rolling and is unlawful.

9. Monitoring and analysing suspensions and exclusions data

The Local Governing Board will scrutinise, challenge and evaluate the school's use of suspensions, permanent exclusions, off-site direction and managed moves, ensuring that these measures are used lawfully, proportionately and effectively. The Trust will monitor patterns and trends in attendance, persistent absence, severe absence, suspensions and permanent exclusions to identify emerging vulnerabilities, evaluate the impact of interventions and ensure timely support is provided to pupils and families.

The local governing 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
- 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 pupils, and why this is taking place

- Whether the placements of pupils directed off-site into alternative provision are reviewed at sufficient intervals to assure that the education is achieving its objectives and that pupils are benefiting from it
- The cost implications of directing pupils off-site

10. Considering the reinstatement of a pupil

The local governing body pupil discipline committee will consider and decide on the reinstatement of a suspended or permanently excluded pupil within 15 school days of receiving the notice of the suspension or exclusion if:

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

Where the pupil has been suspended, and the suspension does not bring the pupil's total number of days of suspension to more than 5 in a term, the local governing body must consider any representations made by parents, and the student, if they are 18 years old. However, it is not required to arrange a meeting with parents, and it cannot direct the headteacher to reinstate the pupil.

Where the pupil has been suspended for more than 5 days, but less than 15 days, in a single term, and the parents make representations to the board, the local governing body pupil discipline committee will consider and decide on the reinstatement of a suspended pupil within 50 school days of receiving notice of the suspension. If the parents do not make representations, the board is not required to meet, and it cannot direct the headteacher to reinstate the pupil.

Where a suspension or permanent exclusion would result in a pupil missing a public exam or National Curriculum test, the local governing body pupil discipline committee will, as far as reasonably practicable, consider and decide on the reinstatement of the pupil before the date of the exam or test. If this is not practicable, the local governing body chair, or vice chair may consider the suspension or permanent exclusion and decide whether to reinstate the pupil.

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

- Parents, or the pupil if they are 18 or over (and, where requested, a representative or friend)
- The pupil, if they are aged 17 or younger and it would be appropriate to their age and understanding (and, where requested, a representative or friend)
- The headteacher
- The pupil’s social worker if they have one
- The VSH, if the pupil is looked after

The committee 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 because it was not made within these time limits.

The local governing body can either:

- Decline to reinstate the pupil, or
- Direct the reinstatement of the pupil immediately, or on a particular date (except in cases where the board cannot do this – see earlier in this section)

In reaching a decision, the committee will consider:

- Whether the decision to suspend or permanently exclude was lawful, reasonable, and procedurally fair
- Whether the headteacher followed their legal duties
- The welfare and safeguarding of the pupil 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.'

The clerk governance professional will be present when the decision is made.

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 pupil's educational record, and copies of relevant papers will be kept with this record.

The committee will notify, in writing, the following stakeholders of its decision, along with reasons for its decision, without delay:

- The parents, or the pupil, if they are 18 or older
- The headteacher
- The pupil's social worker if they have one
- The VSH, if the pupil is looked after
- The local authority
- The pupil's home authority if it differs from the school's

Where an exclusion is permanent and the committee has decided not to reinstate the pupil, the notification of decision will also include the following:

- The fact that it is a permanent exclusion
- Notice of parents' right to ask for the decision to be reviewed by an independent review panel (IRP).
- The date by which an application for an independent review must be made (15 school days from the date on which notice in writing of the governing board's decision is given to parents)
- 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 pupil's special educational needs (SEN) are considered to be relevant to the permanent exclusion
- That, regardless of whether the excluded pupil has recognised SEN, parents have a right to require the academy trust to appoint an SEN expert to advise the review panel
- 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
- That, if parents believe that the permanent exclusion has occurred because of unlawful 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. Also, that any 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

11. Independent review

If parents apply for an independent review within the legal time frame, the school will arrange for an independent panel to review the decision of the governing board not to reinstate a permanently excluded pupil.

Applications for an independent review must be made within 15 school days of notice being given to the parents by the local governing board pupil discipline committee of its decision to not reinstate the pupil **or**, if after this time, within 15 school 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 made up of representatives from each category below. Where a 5-member panel is constituted, 2 members will come from the school governor category, and 2 members will come from the headteacher category. 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 school in a paid capacity, disregarding any experience as a school governor or volunteer
- Current or former 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/trustee of the academy trust 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 academy trust, or the local 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 academy trust, school, local 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 undertaken training with the NGA, or another governance body as advised by the governance professional.

All governors serving on exclusion panels or Independent Review Panels undertake appropriate statutory training, refreshed at least every two years, to ensure decisions are lawful, procedurally fair, and compliant with DfE guidance.

The panel must consider the interests and circumstances of the pupil, including the circumstances in which the pupil was permanently excluded, and have regard for the interests of other pupils and people working at the school.

Considering the pupil's age and understanding, the pupil or their parents will be made aware of their right to attend and participate in the review meeting and the pupil 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 SEN expert's view of how SEN may be relevant to the pupil'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 pupil's experiences, needs, safeguarding risks and/or welfare may be relevant to the pupil'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 headteacher in the lead up to the permanent exclusion or are relevant to the pupil'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 committee's decision and direct that they reconsider reinstatement (only if it judges that the decision was flawed)

New evidence may be presented, though the school cannot introduce new reasons for 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 committee 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 committee has reached its decision, it 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 pupil within 10 school days
- Any information that the panel has directed the governing board to place on the pupil's educational record

12. School registers

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

- 15 school days have passed since the parents were notified of local governing board pupil discipline committee'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 within 15 school days, the governing 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 has been made for an excluded pupil and they attend it, code B (education off-site) or code D (dual registration) will be used on the attendance register.

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

13. Making a return to the Local Authority (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 with whom the pupil normally resides
- At least 1 telephone number at which any parent 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 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(s) the pupil is going to live there with, and the date when the pupil is going to start living there, if the parents have informed the school that the pupil is moving house

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

14. Returning from a suspension

Reintegration strategy

Following suspension, the school will put in place a strategy to help the pupil reintegrate successfully into school life and full-time education.

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:

- Reintegration meeting with the pupil and parent on their return to school, to discuss measures of support that can be implemented
- Maintaining regular contact during the suspension or off-site direction and welcoming the pupil back to school
- Regular reviews with the pupil and parents to praise progress being made and raise and address any concerns at an early stage
- Informing the pupil, parents 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, and other relevant parties.

Reintegration meetings

The school will 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 tell the pupils that they are getting a fresh start and are valued members of the school community.

The pupils, parents, a member of senior staff, and any other relevant staff will be invited to attend the meeting.

The meeting can proceed without the parents if they cannot or choose not to attend.

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

15. Monitoring arrangements

Each school will collect data on the following:

- Attendance, permanent exclusions, and suspensions
- Use of pupil referral units, off-site directions, and managed moves
- Anonymous surveys of staff, pupils, local governors, and other stakeholders on their perceptions and experiences

The data will be analysed every half-term by an identified member of each school's leadership team.

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 meets 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 to tackle it.

For multi-academy trusts:

The Trust will work with its academies to consider this data, and to analyse whether there are patterns across the trust, recognising that numbers in any 1 academy may be too low to allow for meaningful statistical analysis.

This policy will be reviewed by the Head of Safeguarding, Attendance and Behaviour, annually. At every review, the policy will be agreed upon by the Education Committee.

16. Links with other policies

This exclusions policy is linked to the following school and trust policies:

- Behaviour policy
- SEND policy and information report
- Child protection and Safeguarding Policy
- Physical Restraint Policy
- Equality Policy

Appendix 1

Suspension and Exclusion Checklist Record (Audit trail)

Pupil Name	
Date of Incident	

Action	**Date, Time and Commentary**
Investigation and Evidence	
Has the incident been investigated promptly and fairly and with all parties in a sensitive and fair way?	
Is there a record of all exclusion reasons, providing sufficient detail and evidence of robust assessment of the exclusion decision. ***(A serious breach of the behaviour policy? - Persistent breaches of the behaviour policy? - Remaining in school would seriously harm the education or welfare of 16 others in the school (including staff, pupils, volunteers and visitors)***	
Has the pupil voice requirement been met? Has the pupil been given the opportunity to give their version of events (age, communication need and understanding considered)?	
Has their view been recorded by them, or on their behalf, and agreed by them.	
Have written statements been collected where appropriate and signed/dated?	
Has evidence such as CCTV been reviewed and stored as evidence?	
Making your Decision	
Are you confident and satisfied that your investigation is complete and thorough?	
What other factors could have contributed to the pupil behaviour? Have these been sufficiently considered? (SEND, bereavement, bullying etc)	
Which type of exclusion is being implemented? Internal isolation/ suspension from school / Permanent exclusion	

If the decision is to suspend or internal isolation - what is the proposed period?	
Deciding the type and length of exclusion - Suspension	
Is the length proportionate and not extended unlawfully?	
Have I checked the accumulated days? Is the total under 45 days in a school year?	
Deciding the type and length of exclusion – Permanent Exclusion	
Is this a last resort?	
Have all relevant support, adjustments and alternatives been clearly evidenced?	
Is the decision defensible if subject to governing board scrutiny / IRP?	
Notification and recording	
Have parents/ carers been informed without delay? How were they notified?	
Has written notice been issued confirming: • reason • type and length of exclusion • right to make representations	
Have the following parties been informed without delay: • governing board • Trust (PEX only) • local authority • social worker/ VHT (where appropriate)	
Education during exclusion/ suspension	
Have reasonable steps been taken to set and mark work for the first five school days.	
For exclusions over 5 days have arrangements been made, for a suitable full-time education.	

In either circumstance, have parents been informed of the arrangements.	
Contextual and safeguarding considerations	
Have I considered mitigating and contributory factors, including: o SEN or an EHCP o disability / Equality Act duties o trauma, SEMH, mental health o Bullying, exploitation or safeguarding concerns	
Has any use of restrictive intervention or reasonable force been reviewed and recorded as a safety response rather than a disciplinary sanction?	
Alternatives considered	
Have I considered and, where appropriate, tried reasonable alternatives (e.g. support plans, restorative approaches, adjusted timetable, managed move, off-site direction)? If not, is there a clear and recorded justification of why exclusion is necessary now?	
I am confident this is not an informal or unlawful suspension/exclusion.	
Governance and Review	
Have parents been informed of their right to request a governing board review, where applicable?	
Have key deadlines been noted? ***(15 or 50 school days depending)***	
Is all of the paperwork completed and ready for scrutiny by the Trust, Governors or the IRP?	
Recording	
Is the exclusion recorded accurately on the school MIS and census return?	
Is supporting documentation including statements, pupils views and communications retained securely (audit trail) and accurately dated and signed (including full names)?	

Lawfulness and Threshold	
Am I (the headteacher / Executive Headteacher) the decision-maker? ***(Only headteachers may exclude)***	
Is the exclusion for a disciplinary reason only?	
Does the behaviour meet the two-part test: • A serious breach or persistent breaches of the behaviour policy, and • Would allowing the pupil to remain seriously harm the education or welfare of the pupil or others?	
Is this decision lawful, reasonable, fair, proportionate, evidence-based, and in the best interests of safeguarding and education?	

Name of person completing checklist	
Role of the person completing the checklist	
Date of Completion	

Appendix 2:

Good practice investigation timeline (DfE-aligned)

Behaviour incidents that may lead to suspension or permanent exclusion must be investigated promptly and proportionately. Decisions are normally reached on the same day or within one to two school days, ensuring fairness, safeguarding and compliance with DfE statutory guidance.

Day 0 - Incident Occurs	Immediate response to safeguard pupils and staff First aid/ separation / de-escalation as necessary Initial accounts recorded while events are fresh Pupil may be removed from class or internally supervised pending investigation.
Pupils should not be sent home unless a suspension/ exclusion decision is made, unless it is the end of the school day and they should be returning home anyway. A pupil cannot be sent home pending investigation. If the investigation cannot be completed on the same day, they should return to school the following day and remain under supervision until investigations are complete and a decision has been made.	
Day 0–1 – Initial Investigation	Collect factual accounts and evidence. Collect and consider pupil voice (age-appropriate) Check behaviour history, SEND/EHCP, risk assessments Apply the balance of probabilities If facts are clear and risk is high, a same-day suspension decision is lawful and expected.
Evidence and factual accounts may be collected from adults including visitors and staff, and from pupils who witnessed, or involved in the incident. Other forms of evidence, such as CCTV and other physical evidence should also be gathered. Pupil voice must be sought from the pupil under investigation, in a way which is appropriate to their age and preferred communication.	
Day 1–2 – Complex Cases Only (Only where continued investigation is necessary)	**A short extension may be reasonable where:** There are conflicting accounts SEND or disability factors require specialist input Police or safeguarding agencies are involved.
Any delay must be proportionate**.** The pupil must be appropriately supervised and the reason for delay should be recorded clearly. Anything longer than 2–3 school days without strong justification is likely to be challenged, and unlikely to be upheld unless an investigation is exceptionally complex or has been delayed by a police investigation or the availability of a specialist/ expert.	
Decision Point (as soon as facts are established)	**Once the decision is made:** Parents must be notified without delay Written notification must follow as soon as practicable For suspensions, the length must be stated clearly For permanent exclusion, reasons must be fully evidenced.
New Evidence – Changing the Decision The headteacher does have clear statutory powers to cancel, replace, or issue a new decision based on new evidence. This must be clearly and factually recorded.	

Appendix 3:

Headteacher Decision Making Tool

Behaviour incident occurs

↓

Immediate safety check – de-escalate, safeguard & supervise

↓

Remove from class if needed (internal supervision only)

↓

End of day → Pupil leaves at normal dismissal (NOT a suspension)

↓

Investigation (same day / next day): evidence, pupil voice, CCTV, context

↓

Apply balance of probabilities

↓

SEND & Equality Act consideration – reasonable adjustments

↓

Proportionality test – is exclusion necessary & last resort?

↓

Headteacher decision (cannot be delegated):
No exclusion – support & reintegration
Suspension – starts from decision date
Permanent exclusion – trigger governance & LA response

↓

Notify parents without delay & record decision

↓

New evidence → Cancel or replace decision lawfully

Appendix 4

Statutory Timescales for Suspensions and Permanent Exclusions

Circumstance	Governing Board Duty	Timescale
Suspension of 5 school days or fewer in a term	Must consider any representations made by parents. A meeting is not required and the governing board cannot direct reinstatement.	No statutory meeting required.
Suspension of more than 5 but fewer than 16 school days in a term	Must consider reinstatement if parents request representations.	Within **50 school days** of receiving notice of the suspension.
Suspension resulting in a pupil missing a public examination or National Curriculum test	Must consider reinstatement.	As far as reasonably practicable **before the examination or test**.
Suspension bringing the pupil's cumulative total to more than 15 school days in a term	Must consider reinstatement at a governing board meeting.	Within **15 school days** of receiving notice of the suspension.
Permanent exclusion	Must consider reinstatement at a governing board meeting.	Within **15 school days** of receiving notice of the exclusion.
Parent requests an Independent Review Panel following a decision not to reinstate a permanently excluded pupil	Parent may request a review of the governing board's decision.	Within **15 school days** of being notified of the governing board's decision
Education during suspension	School must provide work.	During the **first 5 school days** of suspension.
Alternative provision following suspension of more than 5 days	Suitable full-time education must be arranged.	No later than the **6th school day**.
Alternative provision following permanent exclusion	Suitable full-time education must be arranged by the local authority.	No later than the **6th school day** following exclusion.
Removal from roll following permanent exclusion	Pupil's name may be removed if no IRP is requested.	After **15 school days** have passed since the governing board's decision not to reinstate. [

Appendix 5

Legislation and statutory guidance

This policy is based on statutory guidance from the Department for Education: Suspension and Permanent Exclusion from maintained schools, academies and pupil referal units in England, including pupil movement 2026

It is based on the following legislation, which outlines schools' powers to exclude pupils:

- *Section 51a 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 sets out 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
- The Equality Act 2010
- Children and Families Act 2014
- Keeping Children Safe in Education 2026
- Restrictive Interventions and the use of Reasonable Force DfE 2026
  - ***note that page 14 contains statutory guidance on recording and reporting***

Appendix 6

Advice for parents and guardians

Current Statutory Exclusions Guidance at School suspensions and permanent exclusions 2026 - GOV.UK (www.gov.uk) There is a guide for parents/carers in Annex C on pages 56 to 61.

Please contact the headteacher's PA if you wish for a paper copy of this guide.

There are a number of national organisations that provide free information, support and advice to parents/carers on exclusion matters. For example:

- Coram Children's Legal Centre. They can be contacted on 0300 330 5485 or through Home - childlawadvice.org.uk Their advice line is open from Mondays to Fridays from 8.00am to 6.00pm.
- ACE education. They can be contacted on 03000 115 142 or at enquiries@ace-ed.org.uk. Please check their website at http://www.ace-ed.org.uk for the opening times of the advice line.
- The National Autistic Society School Exclusion Service (England) can be contacted on 0808 800 4002 or at schoolexclusions@nas.org.uk. Information can also be found on their website at https://www.autism.org.uk/
- Together for Children - Suspensions and Permanent Exclusions - Together for Children
- Independent Parental Special Education Advice http://www.ipsea.org.uk/
- Special Educational Needs and Disabilities Information, Advice and Support Service- SENDIASS (formerly the parent partnership service). Essex SEND - Information, Advice and Support Service (essexsendiass.co.uk) or Support and Advice for Families from SENDIASS Southend