

Suspension and Permanent Exclusion Policy 2026–2027

Written by:	Approved by:	Status	Last Review	Next Review
LCOU	Trustees	Ratified	September 2026	September 2027

1. Principles and Aims

Caistor Yarborough Academy is committed to creating a calm, safe, supportive and inclusive environment in which every student can learn, achieve and thrive.

The Academy's aim is to support students to remain successfully engaged in education wherever possible.

Suspension and permanent exclusion are serious disciplinary measures and will only be used where appropriate.

This policy sets out the Academy's approach to:

- suspension;
- permanent exclusion;
- cancellation of an exclusion;
- reintegration;
- education during suspension;
- notification requirements;
- governing board review;
- Independent Review Panels;
- support for vulnerable students;
- pupil movement and alternative provision.

This policy should be read alongside the Academy's:

- Behaviour Policy;
- Child Protection and Safeguarding Policy;
- SEND Policy;
- Attendance Policy;
- Anti-Bullying Policy;
- Equality information and objectives;
- Alternative Provision procedures.

The Academy follows the current Department for Education statutory guidance:

Suspension and Permanent Exclusion from Maintained Schools, Academies and Pupil Referral Units in England, including Pupil Movement.

2. Legal and Statutory Framework

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This policy has regard to relevant legislation and statutory guidance, including:

- Education Act 1996;
- Education Act 2002;
- Education and Inspections Act 2006;
- Equality Act 2010;
- Children and Families Act 2014;
- School Discipline (Pupil Exclusions and Reviews) (England) Regulations 2012, as amended;
- School Attendance (Pupil Registration) (England) Regulations 2024;
- relevant 2026 regulations concerning educational provision for improving behaviour;
- **Keeping Children Safe in Education 2026;**
- current DfE statutory guidance on suspension and permanent exclusion;
- DfE *Behaviour in Schools* guidance;
- SEND Code of Practice: 0–25 years.

The Academy will review this policy where legislation or statutory guidance changes.

3. Who Can Suspend or Permanently Exclude?

Only the Headteacher can suspend or permanently exclude a student on disciplinary grounds.

Where the Headteacher is absent, this power may be exercised by the person who has been formally appointed to act as Headteacher.

Being a Deputy Headteacher does not, in itself, provide authority to suspend or permanently exclude unless that person is formally acting as Headteacher.

Suspension or permanent exclusion will not be delegated as a routine responsibility to other members of staff.

4. General Principles

Any decision to suspend or permanently exclude will be:

- lawful;
- reasonable;
- fair;
- proportionate;
- based upon the circumstances of the individual case.

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The Headteacher will apply the **civil standard of proof** when establishing the facts.

This means that, on the balance of probabilities, the Headteacher will decide whether it is more likely than not that the behaviour occurred.

The Headteacher will consider all available relevant evidence.

Where practicable, the student will be given an opportunity to provide their account before a decision is made.

The Headteacher will also consider whether additional evidence or further investigation is required before reaching a decision.

5. Relationship with the Behaviour Policy

Suspension and permanent exclusion sit outside the Academy's Warning → C1 → C5 behaviour pathway.

Students do not have to progress through every stage of the behaviour system before a suspension can be considered.

A serious incident may result in immediate suspension or, in exceptional circumstances, consideration of permanent exclusion.

Similarly, there is no automatic number of C4s, C5s or previous suspensions that results in permanent exclusion.

Each decision will be made on its own facts and circumstances.

6. Grounds for Suspension or Permanent Exclusion

The Headteacher will use professional judgement when deciding whether suspension or permanent exclusion is appropriate.

Behaviour that may lead to suspension or permanent exclusion includes, but is not limited to:

- physical assault against another student;
- physical assault against an adult;
- threatening or seriously abusive behaviour;
- serious verbal abuse;
- racist abuse;
- homophobic, biphobic or transphobic abuse;
- sexist or misogynistic/misandrist abuse;
- discriminatory behaviour;
- serious bullying;
- cyberbullying or serious online abuse;

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- sexual misconduct;
- sexual harassment;
- sexual violence;
- harmful sexual behaviour;
- theft;
- serious or repeated damage to property;
- possession or use of illegal drugs;
- supply of drugs;
- possession or misuse of alcohol;
- possession of a weapon;
- use of an object as a weapon;
- serious persistent disruption;
- serious or persistent defiance;
- serious behaviour placing others at risk;
- other serious or persistent breaches of the Behaviour Policy.

This list is not exhaustive.

Behaviour outside the Academy, including online behaviour, may also be considered where the Behaviour Policy gives the Academy lawful authority to respond.

7. Suspension

A suspension is where a student is temporarily removed from the Academy for disciplinary reasons.

A student may be suspended for one or more fixed periods.

The total number of days of suspension must not exceed 45 school days in a single academic year.

A suspension does not need to consist of whole consecutive school days and may, where lawful and appropriate, apply to part of the school day.

Suspension is a serious sanction but is an important behaviour-management tool where proportionate and appropriate.

The Headteacher will determine the length of suspension according to the individual circumstances.

The Academy will not automatically increase suspension lengths according to a predetermined tariff.

8. Permanent Exclusion

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Permanent exclusion is a serious decision.

A student may be permanently excluded where:

- there has been a **serious breach or persistent breaches** of the Academy's Behaviour Policy; **and**
- allowing the student to remain in the Academy would **seriously harm the education or welfare of the student or others**.

Permanent exclusion may be necessary as a last resort in order to maintain a calm, safe and supportive environment.

There may also be exceptional circumstances where a sufficiently serious single incident warrants permanent exclusion without previous suspensions or other behaviour interventions.

Permanent exclusion will never be automatic.

9. Factors Considered Before Suspension or Permanent Exclusion

Before making a decision, the Headteacher will consider relevant factors including:

- the nature and seriousness of the incident;
- the context in which the behaviour occurred;
- available evidence;
- the student's account;
- witness accounts;
- previous behaviour where relevant;
- previous support and intervention;
- whether the behaviour was deliberate;
- the student's age and maturity;
- whether there was provocation;
- bullying;
- bereavement;
- safeguarding concerns;
- SEND;
- disability;
- communication needs;
- mental health or SEMH needs;
- known trauma;

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- home circumstances;
- whether the student is looked after or previously looked after;
- whether the student has a social worker;
- whether the student has an EHCP;
- other relevant vulnerabilities.

The existence of a vulnerability does not automatically prevent suspension or permanent exclusion, but it must be properly considered.

10. Equality and SEND

The Academy will comply with its obligations under the Equality Act 2010.

Suspension or permanent exclusion will not be used in a discriminatory manner.

Before reaching a decision, the Headteacher will consider:

- whether the student's SEND or disability contributed to the behaviour;
- whether reasonable adjustments were in place;
- whether further reasonable adjustments could reasonably have been made;
- whether the Academy has met its duties under the SEND Code of Practice;
- whether additional specialist assessment or support is appropriate.

Where a student has an Education, Health and Care Plan, the Academy will consider whether an early or emergency review may be appropriate.

For persistent behaviour difficulties, the Academy will consider whether existing SEND provision remains suitable.

11. Safeguarding

Suspension and permanent exclusion decisions must be considered alongside the Academy's safeguarding responsibilities.

Where behaviour may indicate:

- abuse;
- neglect;
- exploitation;
- child-on-child abuse;
- harmful sexual behaviour;
- domestic abuse;

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- criminal exploitation;
- mental health concerns;
- another safeguarding vulnerability,

the DSL will be involved as appropriate.

A safeguarding concern does not automatically prevent a disciplinary sanction.

Equally, a disciplinary response must not replace appropriate safeguarding action.

12. Students with a Social Worker

Where a student has a social worker and is at risk of suspension or permanent exclusion, the Headteacher should involve:

- the student's social worker;
- the DSL;
- the student's parents/carers,

as early as possible.

The Academy will consider how the student's safeguarding circumstances may have contributed to the behaviour and what additional support may be appropriate.

Where a student with a social worker is suspended or permanently excluded, the social worker will be notified in accordance with statutory guidance.

13. Looked-After Children

The Academy recognises that exclusion can create particular risks for looked-after children.

Where a looked-after child is at risk of suspension or permanent exclusion, the **Designated Teacher** will contact the **Virtual School Head (VSH)** as soon as possible.

The Academy will seek advice regarding additional support and intervention.

The child's Personal Education Plan will be considered and updated where appropriate.

Where relevant, the Academy will also work with:

- the child's social worker;
- foster carers;
- residential care staff;

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- other professionals.

Every effort will be made to avoid permanent exclusion of a looked-after child where appropriate alternatives can safely and reasonably be implemented.

14. Students Previously Looked After

Where a previously looked-after child is at risk of suspension or permanent exclusion, the Academy may seek advice from the Virtual School Head regarding strategies and support.

The Academy will consider the student's individual circumstances and any relevant trauma or attachment needs.

15. Students with an EHCP

Where a student with an EHCP is at risk of permanent exclusion, the Academy will work closely with the Local Authority.

The Academy will consider whether:

- the EHCP remains appropriate;
- provision specified within the plan is being delivered;
- additional provision is needed;
- an early or emergency review is appropriate;
- alternative support or provision could prevent permanent exclusion.

Where appropriate, the Academy will seek to engage the Local Authority before a decision becomes necessary.

16. Informing Parents/Carers

When the Headteacher decides to suspend or permanently exclude a student, parents/carers will be informed without delay.

Where practicable, the Academy will make initial contact by telephone or in person.

Written notification will follow.

The notification will include, as applicable:

- the reason for the suspension or permanent exclusion;
- the period of suspension;
- confirmation where exclusion is permanent;

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- the date on which the exclusion takes effect;
- parents'/carers' rights to make representations;
- information concerning governing board review;
- arrangements for the student's education;
- arrangements for work during the first five school days;
- information regarding alternative provision where applicable;
- parents'/carers' duties during the first five school days;
- details of relevant sources of free and impartial advice.

The Academy will use current statutory guidance when determining the information required in notices.

17. Parents' Responsibility During the First Five Days

During the first five school days of a suspension or permanent exclusion, parents/carers must ensure that a compulsory-school-age student is not present in a public place during school hours without reasonable justification.

Parents/carers will be informed of this duty in the exclusion notice.

Failure to comply may result in legal action.

18. Education During the First Five School Days

The Academy will take reasonable steps to ensure that appropriate work is:

- set;
- accessible;
- marked.

This applies during the first five school days of a suspension.

For a permanent exclusion, the Academy will also take reasonable steps to provide work for the first five school days where the student is not attending alternative provision.

The Academy's duties towards students with SEND and disabilities continue during this period.

19. Education from the Sixth School Day

Where a suspension lasts for more than five school days, suitable full-time education for a compulsory-school-age student must begin no later than the sixth school day.

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The Academy/Trust will ensure the necessary arrangements are made in accordance with statutory guidance.

For a permanent exclusion, the relevant Local Authority is responsible for arranging suitable full-time education from the sixth school day.

Where appropriate, the Academy will work with the Local Authority to support a smooth transition.

20. Reintegration Following Suspension

The Academy will support students to reintegrate successfully after suspension.

A reintegration meeting may be held before or upon the student's return.

Parents/carers will normally be invited.

The meeting may consider:

- the reason for the suspension;
- expectations on return;
- the student's view;
- support required;
- behaviour interventions;
- SEND needs;
- safeguarding needs;
- pastoral support;
- mentoring;
- report cards;
- a Pastoral Support Plan;
- external-agency support;
- any reasonable adjustments;
- how recurrence will be reduced.

A reintegration meeting is intended to support a successful return and should not be used to delay the student's return after the suspension has ended.

21. Cancelling a Suspension or Permanent Exclusion

The Headteacher may cancel a suspension or permanent exclusion that has already begun or has not yet begun provided the governing board has not already met to consider reinstatement.

Where an exclusion is cancelled:

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- parents/carers will be informed without delay;
- the governing board will be informed;
- the Local Authority will be informed;
- the social worker and/or VSH will be informed where relevant;
- the student will be allowed to return to the Academy without delay;
- parents/carers will be offered the opportunity to meet the Headteacher to discuss the circumstances.

Any school days already missed before cancellation will still count towards the maximum of 45 suspension days in an academic year.

A permanent exclusion cannot be cancelled where doing so would cause the student to exceed the statutory maximum permitted number of suspension days.

The Academy will record the cancellation appropriately.

22. Informing the Local Authority

The Local Authority will be informed without delay of every suspension and permanent exclusion, regardless of its length.

Notifications will include:

- the reason or reasons;
- the duration of a suspension;
- confirmation where the exclusion is permanent.

Where a permanently excluded student lives in another Local Authority area, the student's home Local Authority will also be notified without delay.

The Academy will use the Local Authority's required notification process and forms.

23. Informing Trustees

The Headteacher will notify Trustees as required by statutory guidance.

This will include:

- all permanent exclusions;
- suspensions which require governing board consideration;
- exclusions which would result in a student missing a public examination or national curriculum test;
- other suspensions as required through statutory or Trust reporting arrangements.

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The Headteacher will also provide Trustees with regular information concerning patterns and trends in suspension and permanent exclusion.

24. Governing Board Consideration of Reinstatement

The governing board will consider reinstatement in accordance with statutory timescales.

It must meet to consider reinstatement where:

- a student has been permanently excluded;
- a suspension takes the student's total suspension days above 15 school days in a term;
- the student would miss a public examination or national curriculum test because of the suspension or permanent exclusion.

For permanent exclusion and suspensions taking the total above 15 days in a term, the meeting must normally take place within 15 school days of receiving notice.

Where suspension takes a student's total above five but fewer than 16 school days in a term, and parents/carers make representations, the governing board must meet to consider reinstatement within 50 school days.

Where the total is five days or fewer, the governing board will consider any representations received but does not have the power to direct reinstatement solely through that consideration process.

The Academy/Trust will follow the current statutory guidance in every case.

25. Governing Board Meetings

When considering reinstatement, Trustees will consider:

- the Headteacher's decision;
- evidence available to the Headteacher;
- representations from parents/carers;
- the student's views;
- whether the decision was lawful;
- whether it was reasonable;
- whether it was fair;
- whether it was proportionate;
- relevant safeguarding circumstances;
- SEND and Equality Act duties.

Parents/carers may attend and make representations and may be accompanied by a friend or representative.

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The student will be encouraged to participate where appropriate, taking account of their age and understanding.

Where a student has a social worker, the social worker should be invited to participate where relevant.

Where the student is looked after, the VSH should be involved in accordance with statutory guidance.

26. Remote Meetings

Governing board consideration meetings and Independent Review Panels may be held remotely where permitted by current statutory guidance.

Any remote meeting must be:

- fair;
- transparent;
- accessible;
- capable of allowing all parties to participate fully.

The Academy/Trust will consider safeguarding, accessibility, technology and the individual circumstances before holding a meeting remotely.

Where a fair and transparent remote process cannot be achieved, a face-to-face meeting will be arranged.

27. Outcome of Governing Board Consideration

Following consideration, the governing board may:

- decline to reinstate the student; or
- direct reinstatement immediately or from a specified date.

The governing board will communicate its decision and reasons in writing without delay to the relevant parties.

Where permanent exclusion is upheld, parents/carers will be informed of their right to request an Independent Review Panel.

28. Independent Review Panel

Where Trustees uphold a permanent exclusion, parents/carers have the right to request that the decision is reviewed by an Independent Review Panel in accordance with statutory guidance.

Parents/carers may request the attendance of a **SEN expert**, whether or not the Academy has previously identified the student as having SEND.

The Independent Review Panel may:

- uphold the governing board's decision;

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- recommend that the governing board reconsider its decision;
- quash the governing board's decision and direct it to reconsider.

The Independent Review Panel does not itself have the power to reinstate a student.

29. Reconsideration Following an Independent Review Panel

Where an Independent Review Panel recommends or directs reconsideration, the governing board will reconvene within the statutory timescale.

The governing board will consider the findings of the panel carefully and make a fresh decision regarding reinstatement.

The outcome and reasons will be communicated in accordance with statutory requirements.

30. Police Investigations and Criminal Proceedings

The Headteacher does not necessarily have to delay a suspension or permanent exclusion decision because:

- a police investigation is underway; or
- criminal proceedings may take place.

The Headteacher will make the decision based upon the evidence available to the Academy at the time.

Where the evidence available is limited because of a criminal investigation, the Headteacher will consider what additional steps are needed to ensure the Academy's decision remains fair.

The Academy will also ensure that disciplinary action does not unnecessarily compromise safeguarding or criminal investigations.

31. Managed Moves

A managed move may be considered as a strategy to support a student where appropriate.

A managed move:

- is voluntary;
- requires the agreement of all relevant parties;
- should be in the student's best interests;
- must not be used to pressure a parent into removing their child from the Academy;
- must not be used as an alternative to permanent exclusion without genuine agreement.

Where a student has a social worker, the social worker and DSL will be involved as early as possible.

Where the student is looked after, the VSH will also be involved.

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The Academy will follow current DfE guidance on pupil movement.

32. Off-Site Direction and Alternative Provision

Off-site direction is separate from suspension and permanent exclusion.

It may only be used for the purpose of improving a student's future behaviour and not as a punishment for previous misconduct.

Off-site direction will normally be considered where in-school support or intervention has not been successful or is inappropriate.

Any placement will:

- have clearly defined objectives;
- be time limited;
- identify intended outcomes;
- be regularly monitored and reviewed;
- provide a broad and balanced education;
- consider safeguarding;
- consider SEND and health needs;
- support reintegration where appropriate.

The Academy and Trustees will ensure that placements are reviewed at appropriate intervals to determine whether they remain effective and beneficial for the student.

Alternative provision or off-site direction will never be used as an unlawful informal exclusion.

33. Keeping Students Apart for Safeguarding Reasons

There may be circumstances where it is necessary to make arrangements to keep students apart because of safeguarding concerns.

Such arrangements are distinct from disciplinary exclusion.

Any separation arrangements will:

- have a clear safeguarding rationale;
- be proportionate;
- be kept under review;
- ensure students continue to receive suitable education;

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- consider the wishes and welfare of children affected;
- avoid unnecessarily disadvantaging a child who has reported abuse;
- involve the DSL.

Trustees will have appropriate oversight of such arrangements in accordance with current statutory guidance.

34. Unlawful or Informal Exclusion

The Academy will not use unlawful or informal exclusions.

Students will not be sent home for disciplinary reasons without the absence being formally recorded as a suspension where required.

The Academy will not:

- ask parents to collect a student and keep them at home without recording a suspension;
- use part-time timetables as a disciplinary sanction;
- pressure parents to electively home educate;
- pressure parents into a managed move;
- direct a student to remain away from school without lawful authority.

Any time a student is sent home for disciplinary reasons will be dealt with transparently and in accordance with statutory guidance.

35. Recording and Data

The Academy will maintain accurate records of:

- suspensions;
- permanent exclusions;
- reasons;
- duration;
- cancellation of exclusions;
- governing board reviews;
- Independent Review Panels;
- reintegration arrangements;
- alternative provision;
- relevant support and intervention.

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The Academy will submit required suspension, permanent exclusion and review information through statutory data returns.

36. Monitoring and Evaluation

The Academy will monitor suspension and permanent exclusion data in order to identify:

- repeat suspensions;
- patterns by year group;
- reasons for exclusion;
- students approaching the 45-day maximum;
- patterns relating to SEND;
- disadvantaged students;
- looked-after and previously looked-after children;
- students with social workers;
- protected characteristics;
- potential disproportionality;
- effectiveness of interventions;
- recurring behaviour concerns.

Suspension and permanent exclusion data will be considered alongside:

- behaviour;
- attendance;
- safeguarding;
- SEND;
- pastoral information.

Relevant information will be reported to the Headteacher and Trustees.

37. Review of this Policy

This policy will be reviewed at least annually.

It will also be reviewed sooner where:

- statutory guidance changes;
- legislation changes;

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- Academy procedures change;
- monitoring identifies a need for amendment.

The policy will be approved by Trustees.