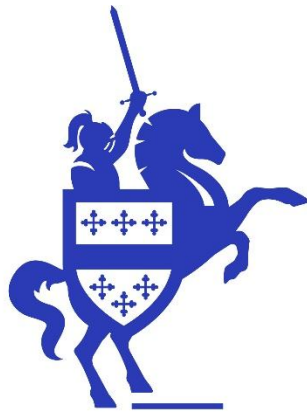




Newburgh
Primary School

Suspensions and Permanent Exclusion Policy



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1. Purpose and principles

Newburgh Primary School aims to provide a safe, nurturing and inclusive environment that enables all pupils to learn and thrive in line with our vision, mission and values (Nurture – Perform – Succeed).

Suspension (fixed-period exclusion) and permanent exclusion are statutory powers available to headteachers which will be used only as a last resort and in accordance with statutory guidance.

Principles:

- Exclusions will be lawful, reasonable and fair, and consistent with statutory guidance (Suspension and Permanent Exclusion guidance and other relevant DfE materials).
- Exclusions will never be used for non-disciplinary reasons (e.g., because a child has special educational needs, for school convenience, or to avoid safeguarding responsibilities).
- The headteacher will consider their Equality duties and the need to make reasonable adjustments and ensure vulnerable groups are not disproportionately affected.
- Newburgh Primary School will follow a graduated approach: prevention, early intervention, targeted support, managed moves and exclusion, only where necessary.
- We follow our Good relationships and Behaviour policy to ensure that the thresholds for issuing suspensions and considering permanent exclusion are clear and understood by Governors, staff, parents and pupils.

2. Scope and legal framework

This policy applies to:

- All pupils registered at Newburgh Primary School, including those educated off-site, dual-registered or attending alternative provision.
- All staff involved in investigating incidents and making recommendations.

Legal and statutory guidance to which the policy has regard:

- Education Act 2002 (section 52), Education Act 2011
- School Standards and Framework Act 1998
- Education and Inspections Act 2006
- Suspension and Permanent Exclusion guidance (latest version) and the DfE “Exclusion from maintained schools, academies and pupil referral units in England” documents
- Equality Act 2010
- Human Rights Act 1998 (section 6)
- School Discipline (Pupil Exclusions and Reviews) (England) Regulations 2012 and subsequent amendments
- Education (Provision of Full-Time Education for Excluded Pupils) Regulations 2007 (as amended)



3. Definitions

- Suspension (fixed-period exclusion): removal of a pupil from school for a fixed number of school days.
- Permanent exclusion: permanent removal from the school roll.
- Alternative provision: an agreed setting arranged by the school or local authority to provide education during exclusion.
- Off-rolling: unlawful removal from the school roll to avoid formal exclusion processes.
- Managed moves: A managed move is a voluntary agreement between schools, parents/carers and a pupil, for that pupil to change school or educational provision under controlled circumstances. [Warwickshire process](#)

4. Roles and responsibilities

4.1 Headteacher (or acting Headteacher)

- Only the headteacher may suspend or permanently exclude.
- The HT will ensure decisions are lawful, reasonable, fair and in line with this policy and statutory guidance.
- Before deciding to exclude or suspend a pupil the HT will consider all the relevant facts and evidence, including events leading up to the incident. They will take into account pupil's views, considering these in light of their age and understanding, unless it would not be appropriate to do so.
- They will immediately notify parents/carers, the governing body, and the local authority as required by law.
- They will ensure parents/carers receive full written reasons, the length of the fixed -term suspension or if it is a permanent exclusion and information on their rights and support (including SENDIAS, IPSEA, Coram Child Law Advice and DfE guidance for parents).
- It is important that during a suspension, pupils still receive their education. HT will ensure that steps are taken to utilise our remote learning policy, using online pathways such as Oak academy or other suitable work that takes account of the needs.
- They will ensure appropriate education is arranged for excluded pupils from day 6 (LA responsibility) and in line with duties for alternative provision.
- Keep records and evidence of investigations and decisions.

4.2 Governing Board

- Maintain a sub-committee of at least three governors to consider reinstatement requests and to fulfil statutory duties.
- Ensure training and resources are in place for governors hearing exclusion reviews.
- Ensure policy oversight and that exclusions data is monitored for trends and equality impact.

4.3 Local Authority (LA)

- For permanent exclusions, arrange suitable full-time education from day 6.
- Support with reintegration, SEN plan reviews and placement advice where needed.



4.4 Staff

- Follow the school's good Relationship and behaviour policy and record incidents accurately and promptly using CPOMs.
- Contribute to investigations, witness statements and documentation as required.
- Take reasonable steps to de-escalate incidents and to implement agreed reasonable adjustments.

4.5 Parents and carers

- Engage with the school, attend meetings and support reintegration arrangements where appropriate.
- Ensure children are not in a public place during school hours in the first five school days of exclusion unless there is a good reason.

4.6 Pupils

- Have the right to explain their version of events and to be supported in doing so (age/ability appropriate).
- Expected to engage in reintegration plans and follow behavioural agreements as set out in the reintegration plan or in the personal Intervention Plan.

5. Preventative and early intervention strategies

We are committed to reducing the use of exclusion through robust prevention to ensure we provide a calm, safe and supportive environment:

- We have a clear whole-school Good Relationships and behaviour policy aligned to our NEWBURGH values. We use consistent approaches across school to support all pupils.
- We use high-quality, inclusive teaching strategies with reasonable adjustments for pupils with SEND.
- Our SENDCo leads on early identification of behavioural needs and timely targeted interventions (including Thrive, restorative practice, behaviour contracts, pastoral support).
- Our Multi-disciplinary working with parents, LA, SEND services, social care, health partners and outside agencies can support the whole-child.
- Where required pupils maybe offered alternative provision or a managed move as appropriate and lawful.
- All staff have regular training in behaviour management, trauma-informed approaches and adapting their approaches to meet the needs of pupils with SEND.



6. Decision-making: suspension and permanent exclusion

The government supports Headteachers in using suspension and permanent exclusion as a sanction when warranted as part of creating a safe and respectful environment for both pupils and staff. When the HT makes the decision, they will consider the following aspects:

- Their decision must be reasonable, lawful and procedurally fair. The Headteacher will consider the balance of probabilities when assessing evidence.
- Exclusion will be considered when an incident is a serious breach of the behaviour policy and where allowing the pupil to remain would seriously harm the education or welfare of others.
- They will consider whether the incident was provoked, whether the pupil has SEN or disability, whether reasonable adjustments were made, and if alternatives to exclusion are possible.
- For persistent behaviour issues, exclusions will normally follow a pattern of graduated responses and documented interventions, unless the incident warrants immediate exclusion (e.g., serious violence, possession of a weapon, supply/possession of illegal drugs, sexual assault).
- Each exclusion or suspension, will be considered, with reference to the Good relationships and Behaviour policy and the specific pupil involved and their needs.

7. Procedures for suspension (fixed-period exclusion)

7.1 Immediate actions:

- Ensure safety of staff and pupils; secure evidence; separate pupils; give first aid; contact emergency services if required.
- Conduct an initial investigation promptly (meetings, witness statements, CCTV where available and lawful).

7.2 Notification to parents/carers

- Inform parents by telephone (or in-person) as soon as possible, followed by a written notification by the end of the afternoon session or at latest within required timescales.
- Written notification must include:
 - Reason(s) for the suspension;
 - The length of the suspension (start and end dates);
 - Information about parents' duty to ensure the pupil is not in a public place in school hours for the first five school days (or until alternative provision starts);
 - Information about arrangements for setting and marking work to be completed during the first five school days;
 - Details of the right to make representations to the governing board where suspension leads to more than five school days in a term or other statutory thresholds are crossed;
 - Details of sources of free impartial advice including SENDIAS, IPSEA and Coram Child Law.
- Use accessible communications and consider EAL and disability-related needs.

7.3 Duration and limits



- A pupil may be suspended for one or more fixed-periods up to a total of 45 school days in a single school year.
- The law does not allow combining fixed-term suspensions to create a permanent exclusion (except exceptionally).

7.4 Return and reintegration

- Hold a reintegration meeting on return involving pupil, parents, senior staff, and relevant staff. Agree a reintegration plan, reasonable adjustments and support.
- Consider behaviour contracts, personalised support plans (PIPs), Thrive interventions, mentoring, and access to alternative curriculum where appropriate.

8. Procedures for permanent exclusion

8.1 When to consider permanent exclusion

- Permanent exclusion will be a last resort, typically for persistent and defiant misbehaviour where other measures have been exhausted, or for a single very serious incident that makes continued attendance untenable (e.g., serious violence, sexual assault, supply of illegal drugs, or possession of a weapon).

8.2 Decision-making process

- Record full investigations and rationale for permanent exclusion. Provide parents with full written reasons.
- Immediately notify the governing body and the LA of the permanent exclusion, and the pupil's home LA if different.
- Where the pupil has an Education, Health and Care Plan (EHCP), consult the LA and consider whether the pupil's plan needs review.

8.3 Notification content (permanent exclusion)

The headteacher's notification must include:

- The fact it is a permanent exclusion and reasons;
- Information about parents' right to request governing board review and the right to apply for an independent review panel (IRP);
- The deadline for an IRP application and the contact details for the body to which an application must be sent;
- Information about the right to request an SEN expert to attend the IRP (and that there is no cost to parents);
- Sources of free impartial advice (SENDIAS, IPSEA, Coram).

8.4 Immediate practical arrangements

- Ensure arrangements for education provision from day 6 are in place through the LA.
- Ensure safeguarding measures, transfer of records, and any necessary referrals are completed.



9. Alternative provision and education during exclusion

- For the first five school days of exclusion, the parent is responsible for supervision and the school must set work.
- From day 6 of a permanent exclusion (or a long fixed-period where LA duty applies), the LA must secure full-time education.
- If the school arranges alternative provision prior to day 6, provide parents with full details (start date, times, address, reporting arrangements) no later than 48 hours before placement starts (exceptions only with parental consent).
- Record attendance and engagement in alternative provision using attendance codes (B, D, E as appropriate).

10. Reinstatement, governing board review and independent review panels (IRP)

10.1 Governing board consideration

- The governing board (sub-committee) must consider reinstatement within statutory timescales:
- Within 15 school days for permanent exclusions, exclusions totalling more than 15 school days in a term, or where the pupil would miss a public exam.
- Within 50 school days on request where exclusion is more than 5 but less than 15 school days in a term.
- The governing board will consider lawfulness, reasonableness and procedural fairness; they will apply the balance of probabilities.
- Outcomes: uphold headteacher decision; recommend reconsideration; quash decision and direct reconsideration if flawed.

10.2 Independent review panel (IRP)

- Parents may apply for an IRP within 15 school days of notification of the governing board's decision. The LA arranges the IRP.
- IRP composition and disqualification rules follow statutory guidance; members must be trained within 2 years.
- IRP can uphold or overturn the governing board's decision; their recommendations are binding in certain circumstances (see statutory guidance).

11. Communication, record-keeping and confidentiality

- NPS will keep a single secure exclusions file containing incident reports, witness statements, communications, investigation notes, medical or SEND evidence and the decision rationale.
- We will notify relevant staff (safeguarding lead, class teacher, admin) of exclusions while maintaining confidentiality.
- Share relevant information with receiving schools or alternative providers to support safety and continuity of education.
- Retain records in line with data protection and school retention schedules.



12. Equality, SEND, reasonable adjustments and vulnerable pupils

- The school will not unlawfully discriminate. They will consider the Equality Act 2010 duties and the need for reasonable adjustments before exclusion.
- For pupils with SEND or an EHCP:
- They will ensure full consideration of whether behaviour is linked to needs or the school's is not able to implement provision to meet these needs.
- Consult the LA and consider an urgent EHCP review where necessary.
- Parents should be informed of their right to request a SEN expert for IRP proceedings.
- The school will consider other vulnerabilities (CLA, LAC, pupils with social workers, mental health needs) and engage Virtual School Heads or social workers as appropriate.

13. Safeguarding and pastoral support during and after exclusion

- Exclusion must never compromise safeguarding obligations. If pupil is a child in need or subject to child protection, the school will inform relevant safeguarding agencies and the social worker immediately.
- They will ensure continuity of welfare checks while excluded (phone or home visits if risk-identified) and record actions.
- They will provide a planned reintegration support that may contain some of these actions to support the pupils and their family: Thrive plan, counselling, SEMH interventions, mentoring and family support referrals.

14. Attendance, school registers and admissions

- The pupil's name will be removed from the admissions register only in line with statutory rules (e.g., 15 school days after panel decision where no IRP application is made).
- Use appropriate attendance coding: B or D for alternative provision, E for absent where no provision attended.
- Work with LA on admissions where permanent exclusions require alternative placements.

15. Monitoring, evaluation and reporting

- The headteacher will monitor exclusions termly and report patterns and equality impact to the governing board.
- Governors will scrutinise exclusions data for trends by protected characteristic, SEND, pupil premium status and key groups.
- Use monitoring to inform CPD, behaviour policy updates and targeted interventions.
- Annual review of this policy and publication of exclusions data in line with DfE requirements.



16. Linked policies

- Behaviour policy
- Safeguarding and Child Protection policy
- SEND policy and information report
- Attendance policy
- Anti-bullying policy
- Staff Code of Conduct
- Home-school agreement
- Data protection and retention policy
- Useful resources
- DfE Suspension and Permanent Exclusion Guidance (latest)
- DfE Guidance for parents and carers on behaviour, suspension and permanent exclusion
- SENDIAS, IPSEA, Coram Child Law Advice
- Local Authority Exclusions Guidance and contacts

