Glusburn Community Primary and Nursery School

Suspension and Permanent Exclusion Policy

Updated for the Department for Education statutory guidance effective 26 July 2026

Policy reviewed and approved	September 2026
Version	2.0
Review frequency	Annually and sooner if statutory guidance changes
Date of next review	September 2027
Responsible Officer	Katie Smith
Status	For governing board approval

Article 29 (goals of education): education should develop every child's personality, talents and abilities to the full and encourage respect for human rights, parents, cultures and the environment.

1. Purpose and status of this policy

This policy sets out Glusburn Community Primary and Nursery School's approach to suspension, permanent exclusion and related pupil-movement arrangements. It has been updated against the Department for Education (DfE) statutory guidance effective from 26 July 2026. The statutory guidance takes precedence if there is any conflict or subsequent change.

The school will apply this policy consistently with its wider legal duties, including safeguarding, equality, special educational needs and disability (SEND), human rights and education duties. Decisions will be lawful, reasonable, fair and proportionate and will be based on the civil standard of proof: the balance of probabilities.

Important: Only the Headteacher (or an acting Headteacher lawfully carrying out that role) can suspend or permanently exclude a pupil on disciplinary grounds.

2. Statutory and local guidance

This policy should be read alongside the following current sources:

- DfE: Suspension and permanent exclusion from maintained schools, academies and pupil referral units in England, including pupil movement (effective 26 July 2026)
- North Yorkshire Council CYPSinfo: Exclusions
- DfE: Behaviour in schools
- DfE: Keeping children safe in education
- DfE: Working together to improve school attendance

Relevant legislation includes, as applicable, the Education Act 1996; Education Act 2002 (including sections 29A and 51A); Education and Inspections Act 2006; School Discipline (Pupil Exclusions and Reviews) (England) Regulations 2012 (as amended); Equality Act 2010; Children and Families Act 2014; Human Rights Act 1998; School Attendance (Pupil Registration) (England) Regulations 2024; and the Education (Educational Provision for Improving Behaviour) (Application to Academies and Pupil Referral Units and Minor Amendments) Regulations 2026.

3. Related school policies

- Behaviour Policy
- Safeguarding and Child Protection Policy
- SEND Policy and SEND Information Report
- Equality / Equalities Policy
- Anti-bullying Policy
- Attendance Policy
- Supporting Pupils with Medical Conditions Policy
- Admissions Policy
- Complaints Policy

4. Principles

- Suspension and permanent exclusion are legitimate behaviour-management tools, but permanent exclusion is a last resort.
- The school will not operate informal or unlawful exclusions. A pupil sent home for disciplinary reasons will be formally suspended and the statutory process followed.

- No pupil will be suspended or permanently excluded for a non-disciplinary reason, including because of academic attainment, additional needs the school feels unable to meet, or a parent's refusal to agree a managed move.
- The pupil's views will be sought and considered, taking account of age and understanding.
- The Headteacher will consider whether SEND, disability, safeguarding, bereavement, bullying, mental health, domestic circumstances or other contributing factors are relevant before deciding on suspension or permanent exclusion.
- Where there are repeated suspensions, the school will review whether the current support and sanction approach is effective and whether unmet need may be contributing to the behaviour.

5. Suspension

A suspension is a temporary exclusion for a fixed period. 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 need to be continuous. Lunchtime suspension is permitted; each lunchtime suspension counts as half a school day for governing-board thresholds.

During the first five school days of a suspension, the school will take reasonable steps to set and mark suitable work. The school's legal duties towards pupils with SEND or disabilities continue to apply. Where a suspension lasts for six school days or more, suitable full-time education must be arranged from the sixth school day in accordance with the statutory framework.

The law does not permit a suspension to be extended or "converted" into a permanent exclusion. In exceptional cases, where further evidence comes to light following further investigation, a further suspension or a permanent exclusion may be issued to begin immediately after the original suspension ends. Any new decision must be separately made and notified.

6. Permanent exclusion

A permanent exclusion is where a pupil is no longer allowed to attend the school unless reinstated. The Headteacher will only decide to permanently exclude where both of the following tests are met:

- there has been a serious breach or persistent breaches of the school's Behaviour Policy; and
- allowing the pupil to remain in school would seriously harm the education or welfare of the pupil or others, including staff or other pupils.

The decision will be based on the facts established on the balance of probabilities and will explain clearly how both parts of the statutory test are satisfied. The Headteacher will consider alternatives, relevant support and the pupil's individual circumstances before reaching the decision.

7. Investigation and decision-making

Before deciding to suspend or permanently exclude, the Headteacher will, so far as reasonably practicable:

- carry out an appropriate and fair investigation and obtain relevant evidence;
- give the pupil an opportunity to give their account and consider their views;
- consider witness evidence and any issues of reliability, coercion, bullying, discrimination or harassment;
- consider whether the school's Behaviour Policy was clear and fairly applied;
- consider relevant safeguarding information and any advice from the designated safeguarding lead;
- consider the Equality Act 2010, including the duty to make reasonable adjustments for disabled pupils;
- consider SEND duties and whether provision, support or reasonable adjustments should be reviewed;
- consider whether the proposed decision is proportionate and whether another response would be appropriate; and
- record the rationale and the evidence relied upon.

8. Pupils with SEND, disabilities, social workers or care experience

The school recognises that pupils with additional needs may be disproportionately represented in suspension and exclusion data. The Equality Act 2010 duty to make reasonable adjustments can apply both to disciplinary sanctions and to the exclusion process. The school will use its best endeavours to secure appropriate special educational provision for pupils with SEN.

- Where a pupil has an EHC plan, the school will contact the local authority about behavioural concerns at an early stage and consider whether an early annual review is appropriate before suspension or permanent exclusion.
- For pupils with SEN without an EHC plan, the school will review the suitability of current support, involving external specialists where appropriate.
- Where a pupil has a social worker, the Headteacher must notify the social worker without delay after a suspension or permanent exclusion.
- Where the pupil is looked after, the Virtual School Head (VSH) must also be notified without delay. For previously looked-after children, the VSH may provide advice and information when requested.
- The school will work with North Yorkshire Council and relevant agencies to reduce avoidable exclusion and secure appropriate support.

9. Notification following a suspension or permanent exclusion

The school will contact the parent/carer as soon as possible and the Headteacher must provide written notification without delay. The written notice will include, as applicable:

- the reason(s) for the suspension or permanent exclusion;
- the period of suspension, or confirmation that the exclusion is permanent;
- the parent's right to make representations to the governing board and how the pupil may be involved;
- where a governing-board meeting is legally required, the right to attend, be represented at the parent's own expense and bring a friend;
- the right to request remote access for a meeting where the statutory conditions apply and how to make that request;
- the parent's duty, for a compulsory-school-age pupil, to ensure the pupil is not present in a public place during school hours on the relevant first five school days unless there is reasonable justification;
- arrangements for work and, where known, any alternative provision; and
- details of sources of free and impartial advice required by the statutory guidance.

The Headteacher will notify the local authority and governing board in accordance with the statutory requirements and North Yorkshire Council reporting arrangements. Where the pupil lives in another local-authority area, the relevant home authority will also be notified where required.

10. Cancelling a suspension or permanent exclusion

The Headteacher may cancel a suspension or permanent exclusion before the governing board has met to consider reinstatement. Where this happens, the school will follow all statutory notification and record-keeping requirements, including notifying the parent, governing board, local authority and, where relevant, the social worker and/or VSH. The pupil must be allowed to return without delay and the parent will be offered an opportunity to meet the Headteacher to discuss the circumstances.

Days already spent out of school before cancellation count towards the maximum of 45 school days of suspension in an academic year. A permanent exclusion cannot be cancelled where the statutory 45-day restriction prevents cancellation.

11. Reintegration

Following a suspension, cancelled exclusion, off-site direction or period of safeguarding separation, the school will plan for successful reintegration. The aim is to provide a fresh start, restore relationships where appropriate, reinforce expectations and identify support required to reduce the risk of recurrence.

- A reintegration meeting will normally be offered, but a pupil's return to school will not be made conditional on the pupil or parent attending such a meeting.
- The reintegration plan may include pastoral support, SEND adjustments, mentoring, behaviour support, targeted teaching, agency involvement, safeguarding measures or a reviewed risk assessment.
- Where repeated suspensions occur, senior leaders will review patterns, causes and the effectiveness of interventions.

12. Off-rolling and unlawful exclusion

The school will not off-roll pupils or use informal exclusion. In particular, the school will not send a pupil home for disciplinary reasons without a formal suspension, place a pupil on a part-time timetable for behavioural reasons as an alternative to suspension, pressure a parent to electively home educate or move school, or remove a pupil from the admission register other than in accordance with the law.

Any temporary or permanent removal from normal attendance on disciplinary grounds will be dealt with through the lawful suspension or permanent exclusion framework. Safeguarding separation and off-site direction are distinct arrangements and must not be used as disguised disciplinary exclusions.

13. Separation of pupils for safeguarding purposes

In rare circumstances, the school may temporarily prevent a pupil from attending the school premises for safeguarding reasons, for example where an allegation of harm requires pupils to be physically separated and this cannot practicably be achieved while all pupils remain on site. This is not a disciplinary suspension or permanent exclusion.

- The designated safeguarding lead (or deputy) will take a lead role and the decision will be made case by case, with advice from other agencies where required.
- Parents will be informed of the reason for the temporary separation.
- The governing board will be notified without delay and will ensure the arrangement is used only in rare circumstances and reviewed appropriately.
- The school will specifically consider the Human Rights Act 1998, Equality Act 2010 and Keeping Children Safe in Education, and will act reasonably, rationally and fairly.
- Education must continue. Where required by law, the local authority will be engaged to arrange suitable education.

14. Off-site direction

Off-site direction is a temporary arrangement requiring a pupil to attend another education setting to improve future behaviour. It is not a punishment for past misconduct and will only be considered where in-school interventions and/or outreach have been unsuccessful or are inappropriate.

- The governing board is responsible for the statutory off-site direction arrangement and will comply with the 2026 legal framework.
- The placement will be time-limited, with clear objectives, a proposed maximum period, arrangements for monitoring progress and regular review.
- The pupil will continue to receive a broad and balanced education and the placement will support reintegration into mainstream education.
- The pupil's views and the parent's views will be considered as part of planning and review.

- Parents (and the local authority where the pupil has an EHC plan) will receive the written information required by law, within the statutory timescale.
- The school will follow current attendance-registration requirements for pupils attending another registered school or setting.
- At review, the governing board will consider whether the placement should continue, end, be changed, or whether another lawful option is appropriate.

15. Managed moves

A managed move is a voluntary, permanent transfer to another school. It may be considered where it is in the pupil's best interests, including following review of an off-site direction, but it must not be used to avoid the statutory exclusion process.

- A managed move requires agreement of the parent and the relevant schools. The pupil's views should also be considered where appropriate.
- The school will not use a "trial period" or "trial admission" for a managed move; a managed move is a permanent transfer.
- A parent or pupil will not be pressured to agree a managed move, and refusal to agree one is not a lawful reason for permanent exclusion.
- The move must comply with the School Admissions Code and the School Attendance (Pupil Registration) (England) Regulations 2024.
- Where the pupil has an EHC plan, the local authority must be involved before a managed move and the statutory process for amending the EHC plan must be followed.
- Relevant information, including attainment, support, safeguarding and risk-management information, will be shared before the move in accordance with data-protection and safeguarding requirements.

16. Governing board review of suspensions and permanent exclusions

The governing board will carry out its statutory role independently and within the required timescales. The Headteacher must notify the governing board without delay of any permanent exclusion, any suspension/permanent exclusion taking the pupil's total above five school days (or more than ten lunchtimes) in a term, and any suspension/permanent exclusion causing the pupil to miss a public examination or national curriculum test.

Circumstance	Governing board action
Permanent exclusion	Governing board must meet and consider reinstatement within 15 school days of notification.
Suspension taking the pupil above 15 school days in a term	Governing board must meet and consider reinstatement within 15 school days of notification.
Suspension/permanent exclusion causing a missed public exam or national curriculum test	Governing board must consider reinstatement and take reasonable steps to meet before the test/exam; statutory arrangements apply if that is not practicable.
Suspensions totalling more than 5 but no more than 15 school days in a term	If parents make representations, the governing board must meet within 50 school days to consider reinstatement.
Suspensions totalling 5 school days or fewer in a term	The governing board must consider any parental representations but does not have power to direct reinstatement for that suspension.

When reviewing a decision, the governing board will consider whether the Headteacher's decision was lawful, reasonable and procedurally fair, taking account of safeguarding, welfare, legal duties and all evidence presented. The governing board will apply the balance-of-probabilities standard, keep clear minutes and give written reasons for its decision.

17. Independent Review Panel (permanent exclusions)

Where the governing board declines to reinstate a permanently excluded pupil, parents have the statutory right to request an Independent Review Panel (IRP) within the applicable timescale. The governing board's decision letter will explain that right, the deadline and how to apply, including the right to request the appointment of a SEN expert at no cost to the parent. The school and governing board will comply with any requirement to reconsider following an IRP decision.

18. Alternative provision and education during exclusion

- For the first five school days of a suspension or permanent exclusion, where alternative provision has not begun, the school will take reasonable steps to set and mark accessible work.
- For a suspension of six school days or more, the governing board must arrange suitable full-time education from the sixth school day.
- For a permanent exclusion, the local authority is responsible for arranging suitable full-time education from the sixth school day, subject to the statutory framework.
- Where the pupil is looked after, the school will work with the VSH and local authority to seek continuity of suitable education and support.
- Parents will be given the required information about alternative provision, including location, times and reporting arrangements, within the statutory notification timescales.

19. Recording, reporting and data monitoring

The school will keep accurate records of all suspensions, permanent exclusions, cancellations, governing-board reviews, off-site directions, managed moves and safeguarding separations as appropriate. Statutory census and local-authority returns will be completed using current requirements and current North Yorkshire Council forms or systems.

The governing board will monitor data for patterns and disproportionality, including by SEND, disability, disadvantage, ethnicity, sex, care status and other relevant characteristics. It will also consider the number and characteristics of pupils moved off-site, managed moves and safeguarding separations, and whether placements are reviewed often enough to ensure they are achieving their objectives and benefiting pupils.

20. Local authority advice and current forms

The school will use the most current North Yorkshire Council advice, notification routes, forms, model letters and checklists available at the time of each case. Older copies appended to previous versions of this policy should not be relied upon where they conflict with current law or guidance.

North Yorkshire Council CYPSinfo – Exclusions: https://cyps.northyorks.gov.uk/exclusions

The school will check the DfE statutory guidance and the North Yorkshire Council page before using operational templates in a live case, particularly where guidance or legislation has recently changed.

21. Complaints and challenges

The statutory routes for governing-board review and, for permanent exclusion, Independent Review Panel review are separate from the school complaints process. Concerns about matters outside those statutory decision-review routes may be raised under the school's Complaints Policy. Allegations of discrimination may have separate legal routes and timescales.

22. Review of this policy

This policy will be reviewed annually and sooner if the DfE statutory guidance, legislation or North Yorkshire Council procedures change. The governing board will ensure that staff involved in suspension and permanent exclusion decisions are familiar with the current statutory framework.

Appendix A – Operational checklist (2026 framework)

This checklist is a school aid and does not replace the DfE statutory guidance or current North Yorkshire Council forms.

Stage	Check
Before the decision	Confirm the Headteacher is the decision-maker; investigate fairly; hear the pupil's account; apply the balance of probabilities; consider safeguarding, SEND, disability, equality duties, contributing factors and proportionality; record reasons.
If suspending	Fix the start and end date; check cumulative days do not exceed 45 in the academic year; arrange work for days 1–5; consider day-6 provision where required.
If permanently excluding	Record how both limbs of the permanent-exclusion test are met and why permanent exclusion is a proportionate last resort.
Notify parent	Contact promptly and provide the full written statutory notice without delay, including representations/review rights and the public-place duty where applicable.
Notify others	Notify the local authority and governing board as required; notify social worker and VSH without delay where applicable; notify home authority where required.
Record/report	Enter the exclusion on school systems and complete current statutory/local-authority returns.
Governing board	Check whether the decision triggers a mandatory meeting; provide papers and ensure participation rights and statutory timescales are met.
Reintegration	Plan a supportive return; do not make return conditional on attendance at a reintegration meeting.
Cancellation	If cancelling before the governing board considers reinstatement, complete all statutory notifications and allow return without delay.
Off-site direction / managed move / safeguarding separation	Use only the correct legal route; do not use these arrangements as informal exclusions; comply with 2026 off-site direction requirements and safeguarding duties.
Before sending letters/forms	Check the current DfE guidance and North Yorkshire Council CYPSinfo page rather than relying on saved historic templates.

Appendix B – 2026 update note

This version replaces the historic North Yorkshire Council checklists and notification forms previously embedded in the school policy. Those materials included 2023-era content and should be obtained in their current form from North Yorkshire Council when needed. The policy now expressly incorporates the principal 2026 changes, including:

- the statutory guidance effective 26 July 2026;
- the 2026 legal framework for off-site direction, including academies and pupil referral units;
- separation of pupils for safeguarding purposes;
- strengthened wording on off-rolling and unlawful informal exclusions;
- current managed-move requirements, including no trial managed moves;
- current Equality Act 2010 and Children and Families Act 2014 references; and
- clarified governing-board review and monitoring responsibilities.