



The Carlton & Faceby and Bilsdale CE Federation

Suspension/Exclusion Policy

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Adopted by	Governing Body Signed: <u>John Ford</u> (Chair of Governors)
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Suspension/Exclusion Policy

Legislative Background

In addition to this policy, Headteachers, governing bodies, local authorities and independent appeal panels should have regard to DfE Statutory Guidance: *Suspension and Permanent Exclusion from maintained schools, academies and pupil referral units in England, including pupil movement. Guidance for maintained schools, academies, and pupil referral units in England – August 2024* [Available Here](#)

Related School Policies

- Behaviour policy
- Equalities policy
- Anti-bullying policy

Types of Suspension/Exclusion

- **Fixed-Term Suspensions (FTS)** will be for a fixed number of school days. An individual fixed period suspension should be for the shortest time necessary, bearing in mind that suspensions of more than a day or two make it more difficult for the pupil to reintegrate back into the school afterwards. They must not exceed 45 school days in an academic year as either a single suspension or a number of shorter suspensions added together.

If a pupil receives more than 15 days of fixed-term suspension in a term, governors must meet to review the suspension. A school can suspend a pupil for lunchtimes but the school should make efforts to resolve any difficulties before using a suspension. In exceptional cases, a further fixed-term suspension or a permanent exclusion can be issued to follow the initial FTS. If this happens, the headteacher must write to the parent/carer to give reasons for the change. A suspension cannot be converted to a permanent exclusion.

- **Permanent Exclusions (PEX)** are when a pupil is no longer allowed to attend a school (unless the pupil is reinstated). The decision to exclude a pupil permanently should only be taken:
 - in response to a 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 such as staff or pupils in the school.

This type of exclusion must be reviewed at a meeting by a panel of governors. The pupil and parent/carer will have the opportunity to put their case at the meeting, can be represented by someone who can speak on their behalf and can be supported by a friend, if they wish. If governors agree with the Headteacher's decision to permanently exclude the pupil, the pupil and parent/carer have a legal right to a further opportunity to challenge this decision via an Independent Review.

The law does not allow for extending a suspension or 'converting' a suspension into a permanent exclusion.

In exceptional cases, usually where further evidence has come to light, a further suspension may be issued to begin immediately after the first suspension.

Suspension/Exclusion as a Last Resort

A pupil will be suspended/excluded from school only as a last resort and as a result of serious and/or persistent breaches of the school behaviour policy, and, where allowing them to remain in school would seriously harm the education or welfare of the pupil or others such as staff or pupils in the school.

Other options should be investigated before resorting to a suspension/exclusion. The NYCC [Ladder of Intervention](#) provides structured, step-by-step guidance for schools to support individual pupils who have social and emotional needs manifesting in challenging behaviour that could lead to a suspension/exclusion. The guidance details a graduated response to ensure early help is in place to support children and young people with social, emotional and mental health needs, including those that are at risk of suspension/exclusion.

Before taking the decision to suspend/exclude, the Headteacher should consider the following:

- **What whole-school approaches and provision are in place to support this pupil?**
e.g., whole school behaviour policy and inclusive practice to support behaviour for learning, quality first teaching, etc. *Are school policies inclusive or do they discriminate against particular pupils with specific needs?*
- **What measures or strategies has the school put in place to support this specific pupil?**
e.g., behaviour plan, specific learning support, mental health and wellbeing advice, etc. *Have support and intervention been put in place and has enough time been allowed for the intervention or support to take effect?*
- ***If there have been multiple, repeat suspensions/exclusions for similar reasons (e.g., abusive behaviour, drug use, etc.) what has been put in place to successfully address the causes? Where the school is repeatedly suspending/excluding for the same reason, this could indicate unmet needs.***
- **What support has been sought from outside agencies, including the Local Authority?**
Through its universal and targeted provision, the LA provides access to a range of services. Has school accessed any of the following?
 - SEND guidance (for pupils with Special Educational Needs or a Disability)
 - Ladder of Intervention
 - SEND Assessment (leading to an Education Health and Care Plan)
 - Local Inclusion Panel or the Pupil Referral Service (PRS)
 - Referral to the SEND Hub to support additional educational and/or social, emotional and mental health needs
 - Advice and support from an Educational Psychologist, the Early Help Service, Child and Adolescent Mental Health Service (CAMHS), Youth Justice Service or Children's Social Care
 - An Early Help (EH) Assessment and Action Plan

Grounds for Exclusion

In line with the statutory guidance, before excluding a pupil permanently, the Headteacher must be convinced that there is sufficient evidence that, on the balance of probabilities, the pupil has committed a serious breach or persistent breaches of the school's behaviour policy and that allowing the pupil to remain in school would seriously harm the education or welfare of the pupil or others such as staff or pupils in the school.

Protocol – Investigation

Before deciding whether to suspend/exclude a pupil the Headteacher should:

- make sure that a thorough investigation has been carried out, consulting others if necessary;
- collate a chronology of the investigation that demonstrates actions taken;
- source signed and attributed statements from all stakeholders;
- give the pupil a chance to say what happened, scribe for them or support them to write a statement if appropriate;
- think carefully about the evidence available;
- ensure that the suspension/exclusion is for the shortest time necessary;
- take into account:
 - the school's Behaviour and Equality Policies;
 - Behaviour in Schools Advice for Headteachers Guidance [Available here](#).
- and, where appropriate:
 - [Equality Act 2010 Advice for Schools \(May 2014\)](#)
 - [The Children and Families Act 2014](#)
 - [SEND Code of Practice \(January 2015\)](#)
 - [Disability Discrimination Act](#)
- check whether bullying or racial or sexual harassment (or any other coercion) led to their actions;
- In the case of a child with an EHCP, the school should liaise with the SEN casework officer;
- In the case of a looked after child, the school should liaise with the head of virtual schools;
- In the case of a child subject to a child protection or child in need plan, schools should liaise with the allocated social worker.

Protocol – Decision

The decision to suspend/exclude (either for a fixed-term or permanently) can only be taken by the Headteacher. Upon coming to the decision to suspend/exclude, the school must inform the parent/carer by telephone as soon as possible and follow this with a formal letter. To ensure statutory returns can be made to the DfE and so that alternative education can be put in place (in the event of a permanent exclusion), the school should also inform the Local Authority. It is important that during a suspension, pupils still receive their education. Headteachers should take steps to ensure that work is set and marked for pupils during the first five school days of a suspension.

The Education of Pupils from the Sixth Day of a Suspension

For a suspension of more than five school days, the governing board (or local authority about a pupil suspended from a PRU) must arrange suitable full-time education for any pupil of compulsory school age. This provision is commonly called alternative provision and must begin no later than the sixth school day of the suspension. 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 in a row.

The Education of Pupils from the Sixth Day of a Permanent Exclusion

It is the responsibility of the local authority to provide education from the 6th day onwards. The school must make provision for the first five days.

Please note: for looked after children and those with a social worker, provision must be made from day one of both a suspension or a permanent exclusion.

Local Authority Support

To ensure schools comply with statutory guidance issued by the DfE, the Local Authority recommends use of forms, templates and model letters developed by the NYC Inclusive Education Service. These forms and the most up-to-date information and guidance on exclusions can be accessed via: <https://cyps.northyorks.gov.uk/exclusions>

Cancelling Exclusions

The headteacher can cancel any exclusion that has already begun (or one that has not yet begun), but this can only happen when the governing board has not yet met to consider whether the pupil should be reinstated.