

Suspension and Permanent Exclusions from School

Who does this guidance apply to?

Anytime a child is excluded from school for any length of time the school must adhere to the statutory guidance governing exclusions.

[Suspensions and Permanent Exclusions from September 2023](#)

The guidance includes

- Maintained schools
- Academies (including Free schools and UTC)
- Pupil Referral units
- Alternative provision academies

Does not apply to

- Independent schools
- City technology Colleges
- Sixth form colleges
- 16-19 academies

What is a Suspension or an Exclusion?

Pupils can only be permanently excluded or suspended for:

- Disciplinary reasons
- If it would seriously harm their education or welfare, or that of others, were they to remain at school.

Who can suspend or exclude?

- Only the Headteacher can suspend or exclude or a senior member of staff with authority, if the Head teacher is absent from school.
- The decision to suspend or exclude must be Lawful, Reasonable and Fair.
- Head will make decision based on balance of probability rather than standard of beyond reasonable doubt.
- Suspensions and Exclusions must be made on disciplinary grounds for breaches of the school behaviour policy.
- May be either for fixed term or permanent.

- By remaining in school it would seriously harm the education and wellbeing of the child and others.
- Child may be excluded even if they are out of school for example on a school trip or traveling to and from school.
- Schools can exclude for half day sessions and lunchtimes but these must be recorded and count as a half day exclusion.
- Sending a child home to cool off is unlawful.
- Pupil may be excluded for one or more Fixed period up to a maximum of 45 days in a single academic year.

Suspension

- A suspension, where a pupil is temporarily removed from the school for breaches of the school's behaviour 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.
- Where suspensions are becoming a regular occurrence for a pupil, headteachers and schools 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.
- It is important that during a suspension, pupils still receive their education. The school's legal duties to pupils with disabilities or special educational needs remain in force, for example, to make reasonable adjustments in how they support disabled pupils during this period.
- A suspension can also be for parts of the school day. Lunchtime suspensions are recorded and counted as half a school day in determining whether a governing board meeting is triggered.
- The law does not allow for extending a suspension or 'converting' a suspension into a permanent exclusion.
- Pupil's may be suspended even if they are out of school, for example on a school trip or traveling to and from school.
- Sending a child home to cool off is unlawful.

Permanent Exclusion

A permanent exclusion is when a pupil is no longer allowed to attend a school. 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.

For any permanent exclusion, headteachers should take reasonable steps to ensure that work is set and marked for pupils during the first five school days where the pupil will not be attending alternative provision. Any appropriate referrals to support services or notifying key workers (such as a pupil's social worker) should also be considered.

✉ SENDIASS@westnorthants.gov.uk

📘 SENDIASS West Northants

📷 sendiasswestnorthants

🌐 www.iassnorthants.co.uk

☎ 0300 126 1039



Information
Advice
Support
Service