

Education

Suspensions and Permanent Exclusions Policy

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Date	Version No	Brief detail of change
Aug 18	5.0	Reviewed one year after previous review and updated
Feb 20	6.0	Updated in line with DFE guidance.
July 2022	7.0	Updated in line with DFE guidance and legislative changes in behaviour and suspension and permanent exclusions and DFE Behaviour guidance July 2022.
June 2023	8.0	Updated in line with DFE guidance and legislative changes in behaviour and suspension and permanent exclusions and DFE Behaviour guidance May 2023
June 2024	9.0	Updated section 7.3 in line with DFE guidance.
July 2024	10.0	Under section 1.2 there is an additional bullet point relating to the academies behaviour policies.
June 2026	11.0	Updated DFE guidance reference to 2024
July 2026	12.0	Updated to reflect the DfE Suspension and Permanent Exclusion statutory guidance (July 2026) and the Education (Educational Provision for Improving Behaviour) (Application to Academies and Pupil Referral Units and Minor Amendments) Regulations 2026. New provisions added on:

		off-site direction procedure; managed moves; separation of pupils for safeguarding purposes; cancelling exclusions; monitoring of suspension and exclusion data; expanded off-rolling guidance; and record retention.
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Suspensions and Permanent Exclusions Policy

Good behaviour in schools is essential to ensure that all pupils benefit from the opportunities provided by education. The government recognises that school exclusions, managed moves and off-site direction are essential behaviour management tools for headteachers and can be used to establish high standards of behaviour in schools and maintain the safety of school communities. (DfE July 2026)

1. Statement of intent

1.1. Leigh Academies Trust's suspensions and permanent exclusion policy aims to set out the process that will be followed and the additional considerations around suspensions and exclusions that each academy will apply. Good behaviour and self-discipline lead to effective learning and help prepare children and young people for life beyond the school gate.

1.2. If approaches towards behaviour management have been exhausted then suspensions and permanent exclusions will sometimes be necessary as a last resort. This is to ensure that other pupils and teaching staff are protected from disruption and can learn in safe, calm, and supportive environments. The decision to suspend a pupil for a fixed period of time or to permanently exclude a pupil will therefore be taken:

- In line with the academy's Behaviour Policy
- In response to a serious or persistent breaches of an Academy's Behaviour and Discipline Policy; and
- If allowing the pupil to remain in an Academy would seriously harm the education or welfare of the pupil or others in the Academy such as staff or pupils of the academy.

1.3. The Trust will always have regard to the Statutory Guidance on Suspensions and Exclusions (July 2026) when making decisions on suspensions and exclusions and will follow the Law, as set out in the relevant School Discipline (Pupil Exclusions and Reviews) (England) Regulations 2012 (as amended) and, in relation to off-site direction, the Education (Educational Provision for Improving Behaviour) (Application to Academies and Pupil Referral Units and Minor Amendments) Regulations 2026. This policy has been written following the 2026 guidelines outlined in such documents.

1.4. The Leigh Academies Trust does all it can to ensure that its policies do not discriminate against pupils or others, either directly or indirectly, in line with any Equality Act 2010 protected characteristics. This includes race, religion, disability, sexual orientation, and sex.

1.5. Each academy within the Trust will apply suspensions and exclusions in accordance with this policy and the academy's behaviour policy. Each academy needs to ensure that the contents of both policies are relayed to all staff, parents and pupils.

2. Types of exclusion

Suspensions and permanent exclusions are different:

2.1 Suspensions (previously called fixed-term exclusions) are where a pupil is prevented from attending the school for a fixed period. At the end of the period, they are expected to return to school following a reintegration meeting. A pupil may receive a maximum 45 days of suspension in an academic year. Principals should take steps to ensure that work is set and marked for pupils during the first five school days of a suspension.

2.2 A suspension may be used to provide a clear signal of what is unacceptable behaviour as part of the school's behaviour policy and show a pupil that their current behaviour is putting them at risk of permanent exclusion.

2.3 A suspension can also be for parts of the school day. For example, if a pupil's behaviour at lunchtime is disruptive, they may be suspended from the school premises for the duration of the lunchtime period. The Principal's duty to notify parents applies in all cases. Lunchtime suspensions are counted as half a school day when calculating whether a suspension brings a pupil's total number of days out of school to the thresholds described in section 9 of this policy.

2.4 Permanent exclusions are where, subject to a decision of the governing board to reinstate the pupil to the school, the pupil is prevented from attending the school again. A decision to permanently exclude will 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.

2.5 For any permanent exclusion, Principals 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.

2.6 In exceptional cases, usually where further evidence has come to light, a further suspension may be issued to begin immediately after the first suspension ends; or a permanent exclusion may be issued to begin immediately after the end of the suspension.

3. Separation of pupils for safeguarding purposes

3.1 In certain circumstances, an Academy may need to temporarily prevent a pupil from attending its premises for safeguarding reasons, for example where an allegation of harm by one pupil against another means pupils need to be kept apart. This is not a suspension or permanent exclusion on disciplinary grounds, and this policy does not apply to it.

3.2 Where this occurs, the Academy must inform parents of the reason without delay, in conjunction with the Designated Safeguarding Lead (or a deputy). This should be used only in rare circumstances, and only where separating pupils is essential and cannot practicably be achieved while allowing the pupils involved to remain on the Academy's premises.

3.3 If the Academy or the pupil's parent does not arrange education for the pupil during this period, the local authority must do so. The Academy must have regard to its duties under the Human Rights Act 1998, the Equality Act 2010 and Keeping Children Safe in Education when making this decision, and should refer to the Trust's safeguarding policy for further guidance.

4. Cancelling an exclusion

4.1 The Principal may cancel a suspension or permanent exclusion, whether or not it has already begun, at any time before the governing board has met to consider whether the pupil should be reinstated. This is sometimes known as rescinding an exclusion.

4.2 Where an exclusion is cancelled, the Principal must, without delay, notify the parents, the governing board, the local authority and, where relevant, the pupil's social worker and VSH, and must give the reason for the cancellation.

4.3 Following cancellation, the governing board's duty to consider reinstatement ceases and there is no requirement to hold a meeting. Parents (or the excluded pupil, if aged 18 or over) should be offered the opportunity to meet the Principal to discuss the circumstances that led to the cancellation, and the pupil must be allowed back into the Academy without delay.

4.4 Any days spent out of the Academy as a result of the exclusion before it was cancelled count towards the maximum of 45 school days permitted in a school year. A permanent exclusion cannot be cancelled if the pupil has already been excluded for more than 45 school days in the school year, or will have been by the time the cancellation takes effect.

5. Roles and responsibilities

The Principal

5.1 The decision to suspend a pupil for either a fixed period of time or to permanently exclude a pupil from an Academy will only be taken by the Principal or, in their absence, a senior member of staff to whom they have delegated the authority to suspend or permanently exclude.

5.2 The suspension or permanent exclusion of a pupil is a matter of judgement for the Principal, who will take into account the likely impact of the misconduct on the life of the Academy. This may include behaviour on the Academy premises, during Academy visits, during residential activities and travelling to and from the Academy that is in breach of the standards of behaviour expected by the Academy.

5.3 When establishing the facts in relation to a suspension or permanent exclusion decision the Principal must apply the civil standard of proof, i.e. 'on the balance of probabilities' it is more likely than not that a fact is true, rather than the criminal standard of 'beyond reasonable doubt.' This means that the Principal should accept that something happened if it is more likely that it happened than that it did not happen. The Principal must take account of their legal duty of care when sending a pupil home following an exclusion.

5.4 The Principal should also take the pupil's views into account, considering these in light of their age and understanding unless it would not be appropriate to do so. They should inform the pupil about how their views have been factored into any decision made. Where relevant, the pupil should be given support to express their view, including through advocates such as parents or, if the pupil

has one, a social worker. Whilst an exclusion may still be an appropriate sanction, the Principal should also take account of any contributing factors.

The Governors

5.5 The governing board is responsible for forming committees to review exclusions and in the case of suspensions when it is required to do so as and when requested by parents. In each case, the decision of the relevant committee formed by the governing board will be to decide whether to uphold the exclusion or suspension, or instead to reinstate the pupil to the school. (Section 9)

5.6 The Governance Professional/Officer will contact governors as soon as possible and arrange a meeting of the Governing Body Committee to consider the exclusion within the statutory deadline applicable.

5.7 The panel will comprise three governors. If a panel member is unable to attend on the day, parents will be given the option to reschedule or go ahead with the hearing with two governors.

The Parents

5.8 Parents will be informed without delay of any suspension or exclusion and there is an ability to make representations in regard to any suspension or exclusion decision. Details will be provided on the rights parents have via the letter that is sent from the principal.

5.9 Governing board meetings can be held via the use of remote access (for example, live video link) if requested due to extraordinary events or unforeseen circumstances.

The Pupils

5.10 All pupils attending academies in the Leigh Academies Trust are expected to follow the expectations regarding their behaviour to ensure that all pupils can learn and participate in academy life effectively and safely. Where those expectations are breached, the behaviour policy will apply.

6. Informing Parties about a Suspension or Permanent Exclusion

6.1 In all cases of suspension or permanent exclusion, the Principal must, without delay, notify parents of the period of the suspension or permanent exclusion the reason(s) for it. This should be done in person or by telephone in the first instance to give parents a chance to raise any questions or concerns. Parents should be advised of the arrangements made to enable the pupil to continue their education prior to the start of any alternative provision or the pupil's return to the academy.

6.2 In addition, the Principal, without delay, after their decision, must notify the local authority, the social worker, if a pupil has one, and the VSH if the pupil is a LAC.

7. Reintegration strategy meetings following suspension or off-site direction

7.1 A reintegration meeting with parents/carers will be held during or following the expiry of all fixed-term suspensions. The student should normally attend all or part of the meeting.

7.2 Upon return from fixed-term suspension, a reintegration strategy or Pastoral Support Plan (PSP) will be discussed, agreed and signed by the student, parents/carers and the academy. This will

identify the issues leading to the suspension and outline a clear set of expectations for a smooth and successful reintegration. A range of additional strategies and resources to support the reintegration process may be identified. To facilitate this, a copy of the PSP Plan will be shared with any relevant members of Academy personnel.

7.3 In the event that a meeting with parents/carers cannot be arranged, the meeting will still be held with the student and an appropriate adult. The Academy will keep a record of any failure by parents/carers to attend and any reason given.

8. Alternatives to suspension and Permanent Exclusion

8.1 Before taking any decision to permanently exclude a pupil, the Principal will consider whether a direction to attend alternative provision and/or a managed move as part of a planned intervention would be a reasonable alternative that should be considered.

Off-site direction

8.2 In the case of directing a pupil off-site to alternative provision, the aim of any direction is for it to be used as a short-term measure as part of the academy's behaviour management strategy to improve a pupil's behaviour where in-school interventions and/or outreach have been unsuccessful or are deemed inappropriate. While parental consent is not needed, discussions would take place with parents to feed in their views about the options.

8.3 From 26 July 2026, the Education (Educational Provision for Improving Behaviour) (Application to Academies and Pupil Referral Units and Minor Amendments) Regulations 2026 apply a statutory off-site direction procedure to the Trust's academies. Where the Principal directs a pupil off-site, it must notify parents (or the pupil, if aged 18 or over) in writing, and the local authority where the pupil has an EHC plan, as soon as practicable after the direction is made and no later than two school days before the placement begins.

8.4 This written notice must include: the address at which the education will be provided; the person the pupil should report to on first attending; the number of days for which the direction applies; the reasons for, and objectives of, the direction; and the relevant morning, afternoon and break session times.

8.5 Parents (or the pupil, if aged 18 or over) and, where the pupil has an EHC plan, the local authority, may request a review meeting in writing. The Principal/academy must hold this as soon as reasonably practicable, unless a review meeting has already taken place in the previous 10 weeks.

8.6 The Principal/academy must keep the placement under review for as long as it remains in effect, holding review meetings at intervals it considers appropriate to the pupil's needs. It must give parents written invitations to each review meeting at least six school days beforehand, and must notify parents in writing of the outcome of each review, including whether the placement will continue and for how long, within six school days of the meeting.

8.7 Where an off-site direction was already in place before 26 July 2026 and continues on or after that date, the Academy must give parents (and, where relevant, the local authority) written notice of the requirement as soon as practicable on or after 26 July 2026, and no fewer than six school days before the first review meeting. This transitional notice does not need to name the person the pupil should report to, as the placement is already under way. The first review meeting must be held as

soon as reasonably practicable after 1 August 2026, regardless of whether a review meeting has taken place in the previous 10 weeks.

Managed moves

8.8 A managed move is a voluntary, permanent transfer of a pupil to another mainstream academy or school, agreed as part of a planned intervention with the parents and the admission authority of the receiving school. It should only take place where it is in the pupil's best interests.

8.9 There is no such thing as a 'trial' managed move. Where a temporary placement is needed to improve a pupil's behaviour, this should be arranged as an off-site direction under paragraphs 8.2 to 8.7 above.

8.10 Once a managed move takes effect, the pupil's name must be removed from the original academy's admission register and added to the new school's register. The pupil should be registered at one school only.

8.11 Any move under a managed move must comply with the statutory School Admissions Code and, where the pupil has an EHC plan, the relevant local authority process for amending the plan. A managed move is considered separately from the Fair Access Protocol, although discussions about the two may be combined where helpful.

8.12 A pupil must not be permanently excluded because their parent (or the pupil, where appropriate) declines a proposed managed move. Parents who believe they are being pressured into a managed move, or who are unhappy with one being proposed, can raise this through the academy's formal complaints procedure.

Inclusion Forums and EHC plan reviews

8.13 Trust Academies are all active participants with their local authorities and in some areas in Inclusion Forums and will access expertise and resources available through the local authority and Forums to minimise suspensions/permanent exclusions. A referral to the Forum will be made prior to any permanent exclusion being actioned.

8.14 Where the pupil has an EHC plan, the local authority can request, in writing, that the academy holds an early annual review meeting. This will be held as soon as reasonably practicable, unless there has already been a review meeting in the previous 10 weeks.

9. Procedures for review and appeal of suspensions and permanent exclusions

9.1 The governing board must consider and decide on the reinstatement of a suspended or permanently excluded pupil within 15 school days of notification if:

- it is a permanent exclusion;
- it is a suspension which would bring the pupil's total number of school days out of school to more than 15 in a term (2 x modules)

9.2 In the case of a suspension which does not bring the pupil's total number of days of suspension to more than five in a term, the governing board must consider any representations made by parents, but it cannot direct reinstatement and is not required to arrange a meeting with parents.

9.3 If the suspension takes the pupil's total number of school days out of school above five but less than 16 for the term (2 x modules) the governing board must consider any representations made by parents and can decide whether to reinstate the pupil. In the case of parents making representation the governing board must convene a meeting to consider reinstatement within 50 school days of receiving notice of the suspension.

9.4 If the exclusion would result in the pupil missing a public examination or national curriculum test, governors must, if possible, consider the permanent exclusion before the date of the examination or test. If this is not possible, the exclusion may be considered by a smaller sub-committee. In such cases, parents still have the right to make representations to the governing body and must be made aware of this right.

9.5 During the review meeting, the Governing Body Committee will consider the interests and circumstances of the suspended or permanently excluded pupil, including the circumstances in which the pupil was excluded, and have regard to the interests and safety of other pupils and people working at the Academy.

9.6 The Governing Body Committee, when establishing the facts in relation to the exclusion, should accept that something happened if it is more likely that it happened than that it did not happen (i.e. on the balance of probabilities). In light of their consideration, the Governing Body Committee can either:

- uphold the exclusion; or
- direct reinstatement of the pupil immediately or on a particular date.

9.7 If it decides against the reinstatement of a pupil who has been permanently excluded the parents can request an independent review.

10. Monitoring suspension and exclusion data

10.1 The community board, and the relevant Trust governance body, should routinely review data on suspensions, permanent exclusions and other pupil movement, including off-site direction and separation for safeguarding purposes, to ensure these are used only when necessary and as a last resort.

10.2 This review should consider: the effectiveness and consistency of the academy's Behaviour Policy; patterns in the reasons for and timing of suspensions and exclusions; repeat suspensions; and the characteristics of pupils affected, so that any disproportionate impact can be identified and addressed.

11. Independent review panels (IRPs)

11.1 If parents/carers apply for an independent review panel within the legal time frame, Leigh Academies Trust will contact the Local Authority or other appropriate independent co-ordinator, who will arrange for a hearing to take place within 15 days of parental notification. This hearing will review the decision of the Governing Body not to reinstate a permanently-excluded pupil. Any requests for an IRP where a permanent exclusion has been upheld should be made to governance@latrust.org.uk within 15 school days.

11.2 Where an IRP either recommends reconsideration or quashes the initial decision of the governing board, the decision will be considered within 10 school days. This may involve a rehearing with oral evidence given by the academy and parents or may be a reconsideration with only the governing board members and the clerk present.

12. Drug-related suspensions and permanent exclusions

12.1 The decision to suspend or exclude for drug-related offences will only be taken after consideration of the Academy's behaviour policy.

12.2 In instances where pupils are found in the possession of illegal drugs covered by the Misuse of Drugs Act 1971, the Academy will make a decision based on the precise circumstances of the offence and the evidence available will be carefully considered before a decision is made to:

- permanently exclude; or
- issue a fixed-term suspension.

In all instances the police and social services will be informed and any substances recovered, handed to the police. If a suspension is issued for a drugs related offence, a permanent exclusion will likely result in any further incident.

12.3 Any pupil attempting to supply illegal drugs covered by the Misuse of Drugs Act and /or drugs not being used in accordance with any officially-issued prescription will be permanently excluded from the Academy. The police and social services will be informed and any substance handed to the police.

13. Other considerations

13.1 The Academy will implement its Behaviour Policy with due regard to the implications arising from the Special Educational Needs and Disability Act 2001, the Race Relations (Amendment) Act 2000, the Human Rights Act 1998 and any other relevant legislation e.g the Equality Act 2010.

13.2 The Academy will be sensitive to the needs of children in care when suspendable or /and excludable incidents occur. Professional advice will always be sought and Social Services will be informed at the earliest opportunity.

13.3 Leigh Academies Trust does not authorise the use of unlawful 'informal' or 'unofficial' exclusions where pupils are sent home, even with the agreement of their parents/carers, for a 'cooling off' period. Any suspension of a pupil must be formally recorded and executed in accordance with the guidance laid down in this Suspensions and Permanent Exclusions Policy. Off-rolling also includes: exercising undue influence over a parent to remove their child under the threat of a permanent exclusion, or encouraging them to choose Elective Home Education or another school place; moving a pupil to off-site alternative provision where this is not in the pupil's best interests; encouraging a post-16 student not to continue their course of study against their best interests; sending a pupil home without a formal suspension, regardless of parental agreement; placing a pupil on a part-time timetable for behavioural reasons; and intentionally removing a pupil from the school roll without following the correct regulations. Ofsted considers evidence of off-rolling as part of its evaluation of an academy's leadership and governance.

13.4 Records and evidence relating to a suspension or permanent exclusion should be retained for at least six months, to cover the period in which a claim of discrimination may be brought to the First-tier Tribunal (Special Educational Needs and Disability) or the County Court.

13.5 While a permanently excluded pupil's name remains on the academy's admission register, attendance must be marked using the appropriate code: Code D where the pupil is dual registered at another educational establishment, Code B where the provision is an approved off-site educational activity that does not involve dual registration, or Code E where the pupil is not attending alternative provision.