

Shireland Collegiate Academy Trust Policy

Suspension & Exclusion Policy

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1. Aims

At Shireland Collegiate Academy Trust, we are committed to maintaining a safe, calm and inclusive learning environment where all pupils can thrive and achieve. This policy sets out a clear and transparent framework for the use of suspension and permanent exclusion, in line with current statutory guidance.

This policy aims to ensure that:

- The use of suspension and permanent exclusion is fair, lawful, proportionate and consistently applied, in line with statutory guidance, to support high standards of behaviour and safeguarding across the Trust.
- All stakeholders understand the exclusions process, including the roles and responsibilities of the Standards and Performance Committee (SPC), Disciplinary Committee, staff, parents/carers and pupils, and the potential consequences of exclusion.
- Exclusion is used only as a last resort, with clear evidence that appropriate early intervention, pastoral support, and reasonable adjustments (including for pupils with SEND or other vulnerabilities) have been considered.
- Decisions are made in line with safeguarding responsibilities and the Trust's duties under equality legislation, ensuring that relevant factors are appropriately considered and recorded.
- Pupils remain engaged in education following exclusion, with appropriate provision, support and reintegration planning to reduce the risk of pupils becoming NEET.
- There is a strong focus on prevention, through partnership working with families, external agencies, and services such as the Virtual School and Social Workers, to address behaviours before they escalate.
- Clear communication is maintained, ensuring that parents/carers and pupils understand expectations, processes and available support.

Following these principles, Shireland Collegiate Academy Trust adopts a proactive and graduated approach to behaviour, with the clear expectation that suspension or permanent exclusion will only be used where it is lawful, proportionate and necessary.

A range of early intervention and support strategies are implemented in line with the Trust's behaviour policy to prevent escalation, including engagement with external professionals such as the Virtual School and Social Workers, where relevant. These approaches are designed to ensure that pupils are appropriately supported and that any emerging concerns are addressed at the earliest opportunity.

However, the Trust recognises that there are circumstances where suspension or permanent exclusion is the appropriate course of action to maintain the safety, welfare and orderly running of the school community. In such cases, decisions are made carefully, with due regard to statutory guidance and are clearly evidenced.

The Trust remains committed to working in partnership with pupils, families and external agencies to support positive behaviour and minimise the likelihood of exclusion, while ensuring that expectations are understood and consistently applied.

Any queries regarding this policy or the Trust's behaviour procedures should, in the first instance, be directed to a member of the senior leadership team with responsibility for behaviour.

2. Legislation and statutory guidance

This policy is based on statutory guidance from the Department for Education:

[Suspension and permanent exclusion from maintained schools, academies and pupil referral units in England, including pupil movement \(July 2026\)](#)

It also reflects relevant legislation, including:

- Section 52 of the Education Act 2002, as amended by the Education Act 2011
- The School Discipline (Pupil Exclusions and Reviews) (England) Regulations 2012
- Sections 64–68 of the School Standards and Framework Act 1998

In addition, this policy is informed by:

- Part 7, Chapter 2 of the Education and Inspections Act 2006.
- Section 579 of the Education Act 1996.
- The Education (Provision of Full-Time Education for Excluded Pupils) (England) Regulations 2007 (as amended).
- Relevant updates to legislation and regulations relating to off-site direction and pupil movement.

This policy should also be read alongside our:

- Behaviour Policy
- Safeguarding and Child Protection Policy
- SEND Policy

This policy complies with the Trust's funding agreement and articles of association.

3. The decision to exclude

Only the Principal, or acting Principal¹, has the legal authority to suspend or permanently exclude a pupil.

Suspension and permanent exclusion are serious sanctions and will only be used where they are lawful, reasonable, proportionate and necessary, and in line with statutory guidance. Permanent exclusion will always be regarded as a last resort.

The Trust does not engage in unlawful off-rolling. Pupils will only be removed from roll through a formal, lawful process. Any decision relating to a pupil's placement will be made in the best interests of the pupil, with appropriate regard to safeguarding, education and welfare.

The Trust is committed to following all statutory procedures to ensure that decisions are fair, transparent and capable of scrutiny.

A decision to suspend or permanently exclude a pupil will only be taken where:

- There has been a serious breach or persistent breaches of the behaviour policy; and/or
- Allowing the pupil to remain in school would seriously harm the education or welfare of the pupil or others.

¹ In the Principal's absence they will delegate the ability to exclude to a designated Vice-Principal – they retain the same statutory powers and can issue fixed term/permanent exclusions in the same manner. The term 'Principal' refers to the Shireland Collegiate Academy Principal or designated Vice-Principal serving as 'Acting Principal' for the remainder of this document

Safeguarding Separation

In rare circumstances, the Trust may take action to keep pupils apart for safeguarding reasons. This may include temporarily preventing a pupil from attending the school site where this is necessary to manage a risk of harm and where it is not appropriate to use suspension or permanent exclusion.

Safeguarding separation is not a disciplinary sanction and will only be used where it is necessary, proportionate and based on a clear safeguarding rationale.

Where this approach is used, the Trust will ensure that suitable educational provision is arranged, that decisions are regularly reviewed, and that the rationale for the action is clearly recorded.

Before making a decision, the Principal will:

- Consider the available evidence and establish the facts on the balance of probabilities, taking account of the individual circumstances of the case.
- Take reasonable steps to gather relevant information, including, where appropriate and practicable, the pupil's account and the views of those involved.
- Consider whether the incident arose as a result of any underlying factors, including safeguarding concerns or additional needs, in line with the Trust's legal duties.
- Ensure that the decision is proportionate, taking into account the seriousness of the incident, any previous behaviour, and the impact on others.
- Carefully consider whether the behaviour may be linked to safeguarding concerns or underlying vulnerabilities, including trauma, exploitation, abuse, neglect, mental health needs, special educational needs and disabilities (SEND), disability, communication needs, attendance concerns, or any other factor which may have impacted the pupil's ability to regulate their behaviour.

Relevant information and evidence will be gathered and documented by appropriate staff in line with the Trust's behaviour policy and statutory guidance. This information will be submitted to the Principal, who will consider the evidence, and make a final decision regarding any proposed suspension or permanent exclusion.

4. Definition

For the purposes of this policy, a “school day” is defined in accordance with Section 579 of the *Education Act 1996* as any day on which there is a school session.

Days on which the school is not open to pupils, including INSET days or staff training days, are not counted as school days.

5. Roles and responsibilities

5.1 The Principal

Informing parents

The Principal will ensure that parents/carers are informed without delay and in writing of any decision to suspend or permanently exclude a pupil.

The written notification will include:

- The reason(s) for the suspension or permanent exclusion, clearly set out.
- The length of the suspension, or confirmation that the exclusion is permanent.
- Information about the parents’ right to make representations to the Disciplinary Committee, including how and when this can be done.
- Details of any requirement for the Disciplinary Committee to meet to consider reinstatement, and parents’ rights to attend, to be represented (at their own expense), and to be accompanied.

The Trust will also ensure that relevant parties are notified without delay, including:

- The local authority, in line with statutory requirements;
- The Virtual School Head, where the pupil is looked after;
- The pupil’s Social Worker, where applicable.

All communications will be clear, accurate and compliant with statutory guidance, ensuring that parents/carers are able to understand the decision and the process that follows.

5.2 Communication and arrangements following exclusion

The Senior Leader with responsibility for behaviour, acting on behalf of the Principal, will ensure that parents/carers are contacted at the earliest opportunity, and no later than the end of the afternoon session on the day the pupil is suspended or permanently excluded, to reinforce the written notification issued by the Principal.

Parents/carers will be reminded of their legal duty to ensure that their child is not present in a public place during school hours, without reasonable justification, for the first five school days of any suspension, or until the start of any alternative provision where this is earlier. Failure to comply may result in a fixed penalty notice or prosecution, in line with statutory requirements.

Where alternative provision is required, the Trust will ensure that parents/carers are provided with the following information in writing, as soon as reasonably practicable:

- The start date for the provision of full-time education
- The start and finish times, including any session details where applicable
- The address at which the provision will take place
- Details of reporting arrangements on the first day.

Where this information is not reasonably available by the end of the afternoon session on the first day of exclusion, it will be provided as soon as reasonably practicable and, wherever possible, no later than 48 hours before the provision is due to commence. Where alternative provision is arranged earlier than the sixth school day, shorter notice may be provided where necessary.

For suspensions, the Trust will ensure that suitable full-time education is arranged to begin no later than the sixth school day of the suspension, in line with statutory guidance. The Senior Leader with responsibility for behaviour will also arrange a reintegration meeting, to take place at an appropriate point during the suspension period or immediately upon the pupil's return, to support a successful reintegration and reduce the risk of repeat incidents.

For permanent exclusions, responsibility for securing suitable full-time education from the sixth school day rests with the Local Authority.

Notification to the Standards and Performance Committee and Local Authority

The Principal will ensure that the Standards and Performance Committee and the Local Authority are notified without delay of:

- Any suspension or permanent exclusion which would result in a pupil being excluded for more than five school days (or more than ten lunchtimes) in any one term;
- Any suspension or permanent exclusion which would result in a pupil missing a public examination;
- All permanent exclusions.

In the case of a permanent exclusion, where the pupil resides in a different local authority to that in which the school is located, the Principal will also notify the pupil's home local authority without delay, providing the reason(s) for the exclusion.

For all other suspensions, the Principal will ensure that the Local Authority is notified in accordance with statutory requirements, and that the Standards and Performance Committee is kept appropriately informed, including through termly reporting arrangements.

5.3 The Disciplinary Committee and provision of Education

The Disciplinary Committee has a statutory duty to consider the reinstatement of an excluded pupil, in accordance with the requirements set out in Section 6 of this policy and relevant statutory guidance.

The Disciplinary Committee will, upon request and within the required timeframe, provide relevant information to the Secretary of State and the Local Authority, including details of exclusions within the previous 12 months, in line with statutory expectations.

Where a pupil is in the final year of compulsory education and does not have any further public examinations to sit, there is no requirement to arrange full-time education beyond the fifth day of a suspension.

5.4 The Local Authority

For permanent exclusions, the Local Authority is responsible for securing suitable full-time education from the sixth day of the exclusion.

6. Considering the reinstatement of a pupil

The Disciplinary Committee will consider the reinstatement of an excluded pupil in line with statutory guidance and within the required timescales.

The Disciplinary Committee must meet to consider reinstatement within 15 school days of receiving notice of the exclusion where:

- The exclusion is permanent;
- It is a suspension which would bring the pupil's total number of school days of exclusion to more than 15 in a term; or
- The exclusion would result in the pupil missing a public examination.

For suspensions totaling more than 5 but not more than 15 school days in a single term, the Disciplinary Committee will consider reinstatement within 50 school days of receiving notice of the exclusion, if requested to do so by parents/carers.

Where an exclusion would result in a pupil missing a public examination, the Disciplinary Committee will, so far as practicable, consider the reinstatement of the pupil before the date of the examination. Where this is not practicable, the Committee will consider the exclusion and determine whether reinstatement is appropriate.

Outcome of the Disciplinary Committee

Following consideration, the Disciplinary Committee will either:

- Decline to reinstate the pupil; or
- Direct reinstatement, either immediately or from a specified date.

Decision-making principles

In reaching its decision, the Disciplinary Committee will consider whether:

- The decision to exclude was lawful, reasonable and procedurally fair;
- The Principal has complied with their statutory duties;
- The decision is supported by the available evidence, with findings of fact determined on the balance of probabilities.

The Committee will have regard to all relevant evidence presented and the circumstances of the case.

Recording and communication

The Disciplinary Committee will ensure that:

- A record of the meeting is kept, including evidence considered and the rationale for the decision;
- The outcome is recorded on the pupil's educational record;
- Written notification is issued without delay to the parents/carers, the Principal and the Local Authority, including the reasons for the decision.

Additional requirements for permanent exclusion

Where the exclusion is permanent, the written notification will also include:

- Confirmation that the exclusion is permanent;
- Details of the parents' right to request an independent review panel;
- The deadline for submitting a review request;
- The name and address to which applications must be sent;
- Information explaining that parents may set out the grounds for review, including how any special educational needs or disabilities (SEND) are relevant;
- Information about the right to request the attendance of a SEND expert, at no cost to parents;
- Details of parents' rights to be represented (at their own expense) and to be accompanied.

Equality and discrimination

Parents/carers have the right to pursue a claim under the Equality Act 2010 where they believe the exclusion amounts to unlawful discrimination. Such claims must be made:

- To the First-tier Tribunal (Special Educational Needs and Disability) in cases of disability discrimination; or
- To the County Court in cases of other forms of discrimination; and
- Must generally be lodged within six months of the alleged discriminatory act.

7. An independent review

Following a decision by the Disciplinary Committee not to reinstate a pupil after permanent exclusion, parents/carers have the right to request an independent review panel.

Any request for an independent review must be made within 15 school days of the date on which notice of the Disciplinary Committee's decision was given.

The Trust will arrange an independent review panel in accordance with statutory requirements. The panel will consist of at least three members who have not been involved in the case, including:

- At least one lay member (who has not worked in a school in a paid capacity);
- At least one school governor or trustee;
- At least one headteacher (or individual with equivalent experience).

No panel member will have any connection with the pupil, the parents, the school, or the incident that could reasonably raise doubts about their impartiality.

All panel members will have received appropriate training within the required timeframe to discharge their duties.

An independent clerk will be appointed to support the panel and ensure the process is conducted in line with statutory guidance.

The panel will review the Disciplinary Committee's decision, considering whether it was:

- Lawful, reasonable and procedurally fair;
- Made in accordance with statutory duties and relevant guidance;
- Supported by the evidence presented, with findings determined on the balance of probabilities.

Outcomes of the Review

Following its review, the panel may:

- Uphold the decision of the Disciplinary Committee (acting on behalf of the governing board);
- Recommend that the Disciplinary Committee reconsiders whether the pupil should be reinstated; or
- Quash the decision of the Disciplinary Committee and direct that it reconsiders whether the pupil should be reinstated.

The panel does not have the power to direct reinstatement.

Decisions will be made collectively by the panel in line with statutory procedures.

The outcome of the independent review, including the reasons for the decision, will be communicated in writing without delay to the parents/carers, the Principal and the Local Authority.

8. School registers

The Trust will ensure that the admissions and attendance registers are maintained accurately and in accordance with statutory requirements.

A pupil's name will only be removed from the admission register following a permanent exclusion where the relevant statutory process has been completed. Removal will take place only:

- After 15 school days have elapsed from the date on which parents/carers were notified of the Disciplinary Committee's decision not to reinstate the pupil, and no application for an independent review has been made; or
- Where parents/carers have confirmed in writing that they will not be requesting an independent review; or
- Where an independent review panel has concluded the decision not to reinstate the pupil has been upheld.

Where an application for an independent review has been made, the pupil's name will remain on roll until the review process has been completed.

Attendance will be recorded in line with the DfE's attendance guidance and statutory requirements, using the appropriate codes:

- Where a pupil is attending approved alternative provision, the register will be marked using:
 - Code B (education off-site), or
 - Code D (dual registration), as appropriate.
- Where a pupil is not attending alternative provision during a period of suspension, the absence will be recorded using:
 - Code E (excluded), in line with statutory attendance guidance.

All entries in the attendance register will be accurate and clearly recorded, ensuring compliance with legal requirements.

9. Returning from a suspension

Following a suspension, a reintegration meeting will be held involving the pupil, parents/carers and a member of the senior leadership team, with other staff involved where appropriate. Where a pupil has a named Social Worker or is known to the Virtual School, these services will be notified and, where appropriate, invited to contribute.

On return from suspension, a structured review of the pupil's circumstances and needs will be undertaken. This will include consideration of:

- The pupil's behaviour history, including patterns over time
- Attendance and punctuality
- The circumstances of the incident leading to the suspension
- Any relevant safeguarding considerations or additional needs.

Following this review, the school will set clear expectations and targets for future conduct, alongside proportionate support and intervention strategies designed to reduce the likelihood of further suspension or exclusion.

This process will be recorded appropriately and will inform ongoing monitoring and support, in line with the Trust's behaviour policy and statutory guidance.

The Academy or Trust may consider a range of proportionate and supportive measures to facilitate a successful reintegration and reduce the risk of repeat incidents. These measures will be based on an assessment of the pupil's individual circumstances, including behaviour history, safeguarding considerations and any additional needs.

Where appropriate, the Trust may:

- Implement targeted support and intervention strategies, including pastoral support, mentoring or structured behaviour support;
- Adjust the pupil's provision on a temporary and proportionate basis, in line with the Trust's behaviour policy;
- Arrange a phased reintegration, where this is necessary to support a safe and successful return to full-time education;
- Seek involvement from parents/carers and relevant external agencies, including the Virtual School, Social Workers or other specialist services;
- Consider the use of off-site direction or alternative provision where this is lawful, appropriate and in the best interests of the pupil, and in line with statutory guidance.
- Any alternative arrangements, including part-time timetables, will be time-limited, regularly reviewed and clearly documented, with the expectation that pupils will return to full-time education as soon as practicable.
- In exceptional circumstances, where a return to the current setting is not appropriate, the Trust may explore other lawful placement options including, off site direction or other agreed pupil movement arrangements, with the agreement of parents/carers and in line with admissions and statutory requirements.
- All decisions will be evidence-based, proportionate and aligned with the Trust's safeguarding duties and legal obligations, ensuring that the pupil's education and welfare remain central to all planning.

10. Monitoring arrangements

The Senior Leader with responsibility for behaviour will monitor patterns and trends in suspensions and permanent exclusions on a regular basis and report these to the Principal. They will also liaise, where appropriate, with the Local Authority to support the coordination of provision and ensure that statutory responsibilities relating to excluded pupils are met.

This policy will be reviewed annually by members of the Trust Executive Leadership Team.

11. Links with other policies

This exclusions policy is linked to our:

- Behaviour policy
- Safeguarding & Child Protection Policy
- Attendance Policy
- Anti-bullying Policy
- SEN Policy and Information Report
- Concerns and Complaints Policy

Appendix 1: Independent review panel training

The Shireland Collegiate Academy Trust Board must ensure that all members appointed to an Independent Review Panel (IRP), including panel members and clerks, have received appropriate and up-to-date training within the two years prior to participating in a review. This is in line with statutory expectations set out in the Department for Education's guidance on *Suspensions and Permanent Exclusions*.

Training must be sufficiently comprehensive to enable panel members and clerks to discharge their functions lawfully, reasonably and fairly, and must include, as a minimum:

The legal framework governing exclusions

A clear understanding of the relevant primary legislation, regulations and the Department for Education's statutory guidance on suspensions and permanent exclusions, including the respective duties of academy trusts, governing bodies and independent review panels.

Judicial review principles and decision-making

An understanding of how the principles applied in judicial review (including legality, procedural fairness and rationality) inform IRP decision-making and scrutiny of governing board decisions.

Procedural fairness and natural justice

The requirement to conduct hearings in a manner that is procedurally fair, transparent and impartial, ensuring that all parties are given a fair opportunity to present their case and respond to evidence.

Roles and responsibilities within the IRP process

The distinct roles and statutory functions of the panel chair, panel members and the clerk, including the clerk's duty to provide impartial procedural advice and ensure accurate record-keeping in line with statutory expectations.

Equality duties and SEND considerations

The duties arising under the Equality Act 2010, including the requirement to avoid unlawful discrimination, consider reasonable adjustments, and properly take account of special educational needs and disabilities (SEND) in exclusion decisions and review processes.

Human rights considerations

The effect of section 6 of the Human Rights Act 1998, requiring IRPs and academy trusts, as public authorities, to act compatibly with Convention rights, including the right to a fair hearing.

Current statutory guidance and practice

Familiarity with the most recent DfE guidance, including any updates relating to procedural requirements (for example, remote access meetings, reconsideration processes, and the role of the SEN expert), to ensure decisions remain compliant with current law and guidance.

The Trust will maintain auditable records to demonstrate that this training requirement has been met. No individual should sit on, or clerk, an Independent Review Panel unless they can evidence compliance with these training expectations.

Appendix 2: Changes to the school exclusions process

The statutory arrangements and procedures that must be followed following a decision to suspend or permanently exclude a pupil on disciplinary grounds are set out within the Department for Education's statutory guidance:

[Suspensions and Permanent Exclusions \(Statutory Guidance – updated June 2026\)](#)
[\[gov.uk\]](#)

Disciplinary Committee meetings and Independent Review Panel (IRP) hearings may take place remotely where it is not reasonably practicable to meet in person within statutory timescales, provided that fairness, transparency and lawful decision-making are not compromised.

A remote meeting will only proceed where the Disciplinary Committee or IRP is satisfied that:

- All required participants have given informed agreement to remote access.
- All participants can hear and be heard throughout, and (where applicable) see and be seen.
- All parties are able to participate fully, present their case, and respond to representations.
- The meeting can be conducted fairly and in accordance with public law principles, including the right to a fair hearing and equalities legislation.

The decision to hold a remote meeting, including the rationale and confirmation that these conditions are met, must be formally recorded.

Participants who are invited but do not intend to take part are not treated as participants for the purpose of establishing agreement.

In determining whether remote access is appropriate, the Disciplinary Committee or IRP must consider:

- The complexity and circumstances of the case;
- Statutory timescales for decision-making;
- The needs of participants, including any vulnerabilities, SEND or language requirements.

Parents and pupils must be informed that they are not required to agree to a remote meeting and that refusal may result in delay.

Reasonable adjustments must be made to support full participation, including facilitating access to suitable technology where required. If the meeting cannot proceed fairly at any stage, it must be adjourned.

Remote arrangements do not alter statutory rights, including the right to representation or, where applicable, the appointment of a SEND expert for IRP hearings. Meetings must not be conducted solely on a written basis.

Conduct of Meetings

The Chair is responsible for ensuring that proceedings are fair, structured and understood by all participants. Clear instructions must be issued in advance, including how to access the meeting and relevant documentation.

Hybrid meetings (with some participants attending remotely) are permitted where all participants can fully engage. The Committee or Panel must ensure that all representations, whether written or oral, are properly considered.

Statutory Duties and Timescales

The Disciplinary Committee must comply with statutory requirements relating to consideration of reinstatement:

- Permanent exclusion, or suspension totalling more than 15 school days in a term:
The Disciplinary Committee must meet within 15 school days.
- Suspension totalling between 6 and 15 school days in a term (where representations are made):
The Disciplinary Committee must meet within 50 school days.
- Suspension of 5 days or fewer in a term:
The Disciplinary Committee must consider any representations made, but is not required to meet.

In all cases, the Committee must consider whether the decision was lawful, reasonable, proportionate and procedurally fair, having regard to statutory guidance and the school's behaviour policy.