



# PHMAT Exclusion and Suspensions Policy

## Document Control Table

<b>Title</b>	PHMAT Exclusions and Suspensions Policy
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## Document History

<b>Date</b>	<b>Author</b>	<b>Note of Revisions</b>
January 2026	A Cheema	This is a new policy

# Exclusions Policy

## Scope and publication

The policy sets out guidelines and circumstances under which a child may be suspended or permanently excluded from a Perry Hall Multi Academy Trust (PHMAT) school and applies to all children at all Trust schools, including those who may be below compulsory school age. The policy is available on each school website and can be made available in large print or other accessible formats if required.

In this policy the term Headteacher/ Head of school also includes any person formally appointed as Acting Headteacher.

## Aims

We are committed to following all statutory exclusions procedures to make sure that every child receives an education in a safe and caring environment.

Our school aims to:

- Make sure that the exclusions process is applied fairly and consistently
- Help governors, staff, parents/carers and children understand the suspension and exclusions process
- Make sure that children in school are safe and happy
- Prevent children from becoming NEET (not in education, employment or training)
- Make sure all suspensions and permanent exclusions are carried out lawfully

## Relationship to other policies

This policy should be read in conjunction with the School Behaviour/ Relationships and Behaviours Policy as well as other relevant school policies, particularly the Special Educational Needs Policy, the Child protection and Safeguarding Policy and the Whole School Equality Policy. It also has a close inter-relationship with the Anti-Bullying Policy and Attendance Policy.

## Legislation and statutory guidance

This policy is based on statutory guidance from the Department for Education (DfE): [Suspension and permanent exclusion from maintained schools, academies and pupil referral units in England, including pupil movement.](#)

It is based on the following legislation, which outlines schools' powers to exclude pupils:

- › Section 51a of the Education Act 2002, as amended by the Education Act 2011
- › The School Discipline (Pupil Exclusions and Reviews) (England) Regulations 2012

In addition, the policy is based on:

- › Part 7, chapter 2 of the [Education and Inspections Act 2006](#), which sets out parental responsibility for excluded pupils
- › Section 579 of the [Education Act 1996](#), which defines 'school day'
- › The [Education \(Provision of Full-Time Education for Excluded Pupils\) \(England\) Regulations 2007](#), as amended by [The Education \(Provision of Full-Time Education for Excluded Pupils\) \(England\) \(Amendment\) Regulations 2014](#)

- › [The Equality Act 2010](#)
- › [Children and Families Act 2014](#)
- › The [School Inspection Handbook](#), which defines 'off-rolling'

This policy complies with our funding agreement and articles of association.

## **Statement of principles**

Permanent exclusion will only be used as a last resort, in response to a serious breach or persistent breaches of the School Behaviour / Relationship and Behaviours Policy **and** where allowing the child to remain in school would seriously harm the education or welfare of the child or others in the school.

We seek to reduce the number of incidents leading to a suspension and permanent exclusion by promoting a positive atmosphere of mutual respect and discipline within the schools.

We regularly monitor the number of suspensions and permanent exclusions to ensure that no group of children are unfairly disadvantaged through their use and that any underlying needs of individuals are being fully met.

## **A note on off rolling**

Our schools are aware that off rolling is unlawful. Ofsted defines off rolling as:

*The practice of removing a child from the school roll without a formal, permanent exclusion or by encouraging a parent/carer to remove their child from the school roll, when the removal is primarily in the interests of the school rather than in the best interests of the child.*

We will not suspend or exclude children unlawfully by directing them off site, or not allowing children to attend school:

- Without following the statutory procedure or formally recording the event, e.g. sending them home to 'cool off'.
- Because they have special educational needs and/or a disability (SEND) that the school feels unable to support.
- Due to poor academic performance.
- Because they have not met a specific condition, such as attending a reintegration meeting.
- By exerting undue influence on a parent/carer to encourage them to remove their child from the school.

## **Authority to exclude**

Suspensions and / or permanent exclusions can only be authorised by the Headteacher after discussion with the CEO and the Executive Team, who will also consult other agencies before making the final decision where necessary.

These decisions must not be delegated to anyone else (other than an Acting Headteacher). The final decision will always rest with the Headteacher.

The Headteacher must always seek advice from other agencies where any potential suspension or permanent exclusion involves a child with special educational needs or a disability (SEND), or a

looked-after or previously looked-after child or for any exclusion where the circumstances are particularly complex and where external agencies are involved.

## **Decision to exclude**

A child may be suspended for one or more fixed periods, up to a maximum of 45 school days in a single academic year. They can also be excluded permanently.

A decision to permanently exclude a child will only be taken:

- in response to a serious breach, or persistent breaches, of the School Behaviour / Relationships and Behaviours Policy **and** where a child's behaviour means that allowing the child to remain in school would seriously harm the education or welfare of the child or others in the school.

The decision will always be:

- Lawful
- Rational
- Reasonable
- Fair
- Proportionate

When establishing the facts in relation to a possible exclusion, the Headteacher will always 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.'

## **Before issuing a suspension or permanent exclusion, the Headteacher will:**

- **Investigated and evidence:** Ensure that a thorough investigation has been carried out and consider all the relevant facts and evidence on the balance of probabilities, including whether the incident(s) leading to the exclusion were provoked. As per the School Behaviour Policy/ Relationships and Behaviours Policy, the Headteacher may consider the behaviour of a child outside school as grounds for an exclusion or suspension.
- **Child's voice:** Allow and encourage the child to give their version of events. The Headteacher will give the child an opportunity to present his or her case taking into account their age and understanding, before taking the decision to exclude or suspend unless it would not be appropriate to do so. Children who need support to express their views will be allowed the support of an advocate, such as their key worker in the first instance and then a parent/carer, or social worker.
- **Vulnerable Children:** Find out whether the child comes into a category that is known to be a particularly vulnerable group (e.g., children with SEND, free school meal (FSM) children; looked after children; students with a social worker; certain ethnic groups; (for example traveller children) and consider whether all supportive and preventative strategies have been fully utilised.
- **SEND:** Where a child has any SEND, the Headteacher will consider if any reasonable adjustments need to be made. The Headteacher will seek to understand the underlying cause of the behaviour and consider whether the student's SEND influenced their behaviour and if it did, whether it is still appropriate to issue the sanction or any sanction at all.
- **Social worker/VSH:** Where a child has a social worker or a Virtual School Head (VSH) the Headteacher will ensure they and, as appropriate, any parent/carers; the Designated

Safeguarding Lead; and the designated lead for Looked-After Children are involved as early as possible in relevant conversations.

- **Consider alternatives:** Consider whether all relevant initial intervention strategies and alternative solutions have been explored, including an off-site direction or managed move.
- **Mitigating circumstances:** Take into account possible short-term mitigating circumstances such as bereavement, mental health issues etc.
- **Safeguarding:** Consider whether there are any safeguarding concerns and whether the Designated Safeguarding Lead should be consulted.
- **Seek guidance** as per the section on ‘Authority to exclude’ on page above.

Headteachers have access to a Pre-Exclusion Checklist to ensure all legal considerations have been made. The Headteacher will complete the Pre-Exclusion Checklist for each permanent exclusion or suspension that triggers a Governors Disciplinary Committee (GDC). The completed form will then be included in the GDC information pack. (Appendix 2)

The Headteacher will keep a written record of the actions taken including the signed statements of witnesses. Any exclusion of a child, even for short periods of time, will be formally recorded.

### **The Headteacher will not:**

- exclude or suspend any child for non-disciplinary reasons
- use exclusion informally or unofficially, children will not be sent home to ‘cool off’ even with parent/carers’ permission
- extend or ‘convert’ 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; or a permanent exclusion may be issued to begin immediately after the end of the suspension.

### **Behaviour related to a protected characteristic**

We will take care to ensure that a decision to exclude or suspend does not involve any kind of discrimination as defined by the Equality Act 2010. We will not discriminate against children on the basis of protected characteristics, such as disability or race.

The school will make reasonable adjustments for managing behaviour which is related to a children’s disability. Where permanent exclusion or suspension needs to be considered, the school will ensure that a child with a disability is able to present his or her case fully where the disability might hinder this.

We recognise that disruptive behaviour can be an indication of unmet needs. Where we have concerns about a children’s behaviour, we will try to identify whether there are any causal factors and try to intervene early in order to reduce the need for a subsequent sanction. We will consider whether a multi-agency assessment that goes beyond a child’s educational needs is required. Where a child has SEND or an EHC Plan and we have concerns about their behaviour, we will work in partnership with others to consider what additional support or alternative placement may be required. We will also work proactively with parent/carers in supporting behaviour of children with additional needs.

## **Lunchtime suspensions**

A suspension can be for parts of the school day. For example, children whose behaviour at lunchtime is disruptive may be suspended from the school premises for the duration of the lunchtime period only, then back into school in the afternoon. In such cases the legal requirements in relation to suspensions, such as the Headteacher's duty to notify parent/carers, still apply. Lunchtime suspensions are counted as half a school day for statistical purposes and in determining whether a Governors Disciplinary Committee (GDC) meeting is triggered.

## **Action following any exclusion**

### **Informing parent/carers**

The Headteacher will provide the following information to parent/carers of an excluded child, without delay (usually by phone initially and then followed up in a letter):

- The reason(s) for the suspension or permanent exclusion.
- The length of a suspension or, for a permanent exclusion, the fact that it is permanent.
- Information about parent/carers' right to make representations
- That for the first five school days of a suspension or permanent exclusion, or until the start date of any alternative provision where this is earlier, parent/carers are legally required to ensure that their child is not present in a public place during school hours without a good reason. Parent/carers may be given a fixed penalty notice or prosecuted if they fail to do this.

The Trust has provided template letters (appendix 3a and 3b) available for the Headteacher to communicate this information to parent/carers with further detail as to what must be included. This letter should be sent without delay.

If a child is issued with a further suspension or is subsequently permanently excluded, the Headteacher must inform parent/carers without delay and issue a new suspension or permanent exclusion letter to parent/carers.

### **Informing / arrangements for governors**

The Headteacher will immediately notify the Clerk to the Local Governing Body including the Clarke to the Trustees of:

- a permanent exclusion
- a suspension which would bring the child's total number of out of school days to more than 15 in a term (including 15.5 days)
- suspensions which would result in the child missing a public examination.

The requirements differ for suspensions lasting more than five but no more than 15 school days in a term. In such cases, if parents make representations, the governing board must consider them and decide within 50 school days of receiving the suspension notice whether the child should be reinstated. If no representations are made by the parents, the governing board is not required to meet and cannot direct the pupil's reinstatement.

## **Informing the Local Authority (LA)**

The Headteacher will notify the LA of all suspensions and permanent exclusions without delay, regardless of the length of a suspension.

The notification will include:

- The reason(s) for the suspension or permanent exclusion.
- The length of a suspension or, for a permanent exclusion, the fact that it is permanent.

For a permanent exclusion, if the child lives outside the LA in which the school is located, the headteacher will also, without delay, inform the student's 'home authority' of the exclusion and the reason(s) for it.

## **Informing the child's social worker and/or virtual school head (VSH)**

As noted above, if a:

- Child with a social worker is at risk of suspension or permanent exclusion, the Headteacher will inform the social worker as early as possible.
- Child who is a looked-after child (LAC) is at risk of suspension or exclusion, the Headteacher will inform the VSH as early as possible.

This is in order to work together to consider what factors may be affecting the child's behaviour, and what further support can be put in place to improve the behaviour.

If the Headteacher decides to suspend or permanently exclude a child with a social worker / a child who is looked after, they will inform the child's social worker / the VSH, as appropriate, without delay, that:

- They have decided to suspend or permanently exclude the child.
- The reason(s) for the decision.
- The length of the suspension or, for a permanent exclusion, the fact that it is permanent.
- The suspension or permanent exclusion affects the child's ability to sit a National Curriculum test or public exam (where relevant).

The social worker/VSH will be invited to any meeting of the GDC about the suspension or permanent exclusion. This is so they can provide advice on how the child's background and/or circumstances may have influenced the circumstances of their suspension or permanent exclusion. The social worker should also help ensure safeguarding needs and risks and the child's welfare are taken into account.

## **Alternative education**

### **During the first five days of a suspension**

During the first five days of a suspension, if the child is not attending alternative provision (AP), the Headteacher will take steps to ensure that achievable and accessible work is set and marked for the child. Online pathways may be used for this. If the child has a special educational need or disability, the Headteacher will make sure that reasonable adjustments are made to the provision where necessary.

## **For a suspension of more than five school days**

For a permanent exclusion the school will provide work for the first five days and the LA will then find alternative full time education for this child.

For permanent exclusions, the child's home LA has responsibility for arranging suitable full-time education for the child

## **Reintegration**

### **Reintegration strategy**

Following suspension or any cancelled suspension or cancelled permanent exclusion, the school will put in place a strategy to help the child reintegrate successfully into school life and full-time education.

Where necessary, the school will work with third-party organisations to identify whether the child has any unmet special educational and/or health needs.

The following measures may be implemented, as part of the strategy, to ensure a successful reintegration into school life:

- Maintaining regular contact during the suspension and welcoming the child back to school.
- Daily contact in school with a designated pastoral professional.
- Mentoring by a trusted adult or a local mentoring charity.
- Regular reviews with the child and parent/carers to praise progress being made and raise and address any concerns at an early stage.
- Informing the child, parent/carers and staff of potential external support.

The strategy will be regularly reviewed and adapted where necessary throughout the reintegration process in collaboration with the child, parent/carers, and other relevant parties.

### **Reintegration meeting**

The school will explain the reintegration strategy to the child and parent/carers in a reintegration meeting before or on the child's return to school. During the meeting the school will communicate to the child and parent/carers that they are getting a fresh start and that they are a valued member of the school community.

The child, parent/carer, a member of senior staff, and any other relevant staff will be invited by the Headteacher to attend the meeting. The meeting can proceed without the parent/carer in the event that they cannot or do not attend. School will complete a reintegration form appendix 4

This meeting will seek to establish practical ways in which further exclusion or suspension can be avoided and behaviour modified to acceptable standards in partnership between child, parent/carer, and school.

## **Cancelling an exclusion**

The Headteacher may cancel a suspension or permanent exclusion that has already begun, but this

will only be done where it has not yet been reviewed by the GDC. Where there is a cancellation:

- The parent/carers, GDC and Local Authority will be notified without delay.
- Where relevant, any social worker and Virtual School Head will be notified without delay.
- Parent/carers will be offered the opportunity to meet with the Headteacher to discuss the cancellation.
- The Headteacher will report to the LGB once per term on the number of cancellations; and
- The child will be allowed back in school.

## **Considering the reinstatement of a child (GDC panel)**

PHMAT Trustees have delegated responsibility for reviewing exclusions to the LGB

The LGB will establish a Governors Disciplinary Committee (GDC) for this purpose.

The Clerk to the Trust will arrange a GDC panel to consider the reinstatement of an excluded child within 15 school days of receiving the notice of the exclusion if:

- the exclusion is permanent
- it is a suspension which would bring the child's total number of school days of exclusion to more than 15 (including 15.5 days) in a term
- it would result in a child missing a public examination.

If requested to do so by parent/carers, a GDC panel will consider the reinstatement of an excluded child within 50 school days of receiving notice of the exclusion if the child would be excluded from school for more than five school days, but less than 16, in a single term.

The GDC panel will consist of at least three Governors or Trustees. The panel may be from any Trust school. The panel members must be impartial and not be conflicted in taking a place on the GDC panel through, for example, a personal connection with the excluded child or his or her family.

Where an exclusion would result in a child missing a public examination or national curriculum test, a GDC panel will consider the reinstatement of the child, as far as reasonably practicable, before the date of the examination or test. If it is not practicable for a sufficient number of panel members to consider the decision before the examination or test, a smaller sub-committee may make the decision.

The GDC panel can either:

- decline to reinstate the child, or
- direct the reinstatement of the child immediately, or on a particular date.

In reaching a decision, the GDC panel will consider whether the exclusion or suspension was lawful, reasonable, and procedurally fair and whether the Headteacher followed their legal duties. They will decide whether or not a fact is true 'on the balance of probabilities', which differs from the criminal standard of 'beyond reasonable doubt', as well as any evidence that was presented in relation to the decision to exclude.

Minutes will be taken of the meeting, and a record of evidence considered kept. The outcome will also be recorded on the child's educational record.

The GDC will notify, in writing, the Headteacher, parent/carers, the LA (and where relevant the

social worker and VSH) of its decision, along with reasons for its decision, without delay.

Where an exclusion is permanent, the GDC's decision will also include the following:

- The fact that it is permanent.
- Notice of parent/carers' right to ask for the decision to be reviewed by an independent review panel, and:
  - the date by which an application for an independent review must be made
  - the name and address to whom an application for a review should be submitted
  - that any application should set out the grounds on which it is being made and that, where appropriate, reference to how the child's SEND is considered to be relevant to the exclusion
  - that, regardless of whether the excluded child has recognised SEND, parent/carers have a right to require the school to appoint a SEND expert to attend the review
  - details of the role of the SEND expert and that there would be no cost to parent/carers for this appointment
  - that parent/carers must make clear if they wish for a SEND expert to be appointed in any application for a review
  - that parent/carers may, at their own expense, appoint someone to make written and/or oral representations to the panel, and parent/carers may also bring a friend to the review.

The Trust has provided GDC panel members with template GDC response letters to ensure all of the required information is provided and explained clearly to parent/carers.

The GDC should set out the reasons for its decision in sufficient detail to enable all parties to understand why the decision was made.

## **Independent review panels**

Applications for an independent review must be made by the parent/carers within 15 school days of notice being given to the parent/carers by the GDC of its decision to not reinstate a child.

If parent/carers apply for an independent review, the Clerk will arrange for an independent panel to review the decision of the GDC not to reinstate a permanently excluded child.

A panel of three members will be constituted with representatives from each of the categories below.

- A lay member to chair the panel who has not worked in any school in a paid capacity, disregarding any experience as a Trust governor or volunteer.
- School governor who has served as a governor for at least 12 consecutive months in the past five years, provided they have not been teachers or Headteachers during this time.
- Headteachers or individuals who have been a Headteacher within the past five years.

A person may not serve as a member of a review panel if they:

- Are the Headteacher of the excluding school or have held this position in the past five years.
- Are an employee of the Trust, of the excluding school (unless they are employed as a Headteacher at another school).
- Have, or at any time have had, any connection with the Trust, school, parent/carers or child, or the incident leading to the exclusion, which might reasonably be taken to raise doubts about their impartiality.

- Have not had the required training within the past two years.

A clerk will be appointed to the panel.

The independent panel will decide one of the following:

- Uphold the GDC's decision.
- Recommend that the GDC reconsiders reinstatement.
- Quash the GDC's decision and direct that the GDC reconsider reinstatement (only when the decision is judged to be flawed).

The panel's decision can be decided by a majority vote. In the case of a tied decision, the chair has the casting vote.

## School registers

A child's name will be removed from the school admissions register if:

- 15 school days have passed since the parent/carers were notified of the GDC's decision to not reinstate the child and no application has been made for an independent review panel, or
- the parent/carers have stated in writing that they will not be applying for an independent review panel.

Where an application for an independent review has been made, the Trust will wait until that review has concluded before removing a child's name from the register.

The following codes should be used where appropriate:

Codes to be used	
E	Suspended or permanently excluded and no alternative provision made
B	Attending any other approved educational Provision
D	Dual registered at another school

## Reporting, monitoring and analysing suspensions and exclusions data

Suspension and exclusion data is recorded and regularly monitored and analysed at both school and Trust level.

### Guidance and documents for Trust leaders:

Appendix 1 - Summary Trust duties to review the Headteacher's exclusion decision

Appendix 2 – Exclusion and suspension decision making Tool Kit (internal use)

Appendix 3 – Template letters

Appendix 3a - Fix term suspension letter

Appendix 3b - Letter for Permanent Exclusion

Appendix 4 – Reintegration meeting log

Appendix 5 - PHMAT Solution Focused Action Planning Request form

## Appendix 1 : Summary Trust duties to review the Headteacher's exclusion decision

