



Exclusion Policy

Approved January 2018

**Reviewed by CEO Spring 2020, Summer 2021, Summer 2022, Summer 2023,
Summer 2024, Summer 2025, Summer 2026**

Next Review - Summer 2027

Britannia Education Trust (BET) has an inclusive ethos and is committed to supporting all pupils towards success. A decision to exclude a pupil, either through a suspension or a permanent exclusion is seen as a last resort by the school while always bearing in mind our duty of care to all pupils and staff. In the first instance we will always try to identify the causes of behaviour issues and to set up strategies to support the child to modify their behaviour. However there are some rare incidents or circumstances where exclusion will be the only appropriate step. These incidents and behaviours are deemed serious enough to bypass the School Behaviour policy and procedures.

This policy specifically relates to suspensions and exclusions, but it should be read in conjunction with the trust's Behaviour and anti-bullying policy.

The Headteacher alone is responsible for the decision to exclude a child from school.

Definitions:

- **Suspension:** This is when a Headteacher temporarily removes a pupil for a fixed period. The pupil returns to school at the end of the suspension. If further evidence comes to light during the suspension, the Headteacher cannot extend or 'convert' it; instead, they must issue a separate, new suspension or a new permanent exclusion to begin immediately after the current one ends.
- **Multiple Suspensions:** A Headteacher can suspend a pupil more than once, but the total number of school days cannot exceed 45 in a single academic year. The 45-day limit is an absolute statutory cap; suspensions do not automatically convert into a permanent exclusion if this threshold is crossed.
- **Permanent exclusion:** A Headteacher decides that the pupil cannot return to the school.

Suspensions and exclusions are used when other strategies and sanctions have not been effective over time or when there has been a single clear and serious breach of discipline.

Physical assault of staff or pupils by a pupil, other acts of violence, including severe verbal bullying, fire setting, bringing a weapon on the premises, persistent and frequent high-level

disruption to lessons come within this category as well as actions which may jeopardise the health and safety of the individual/others and some cases of theft. In all cases the Headteacher gathers evidence and views and takes advice from staff who are working with a child.

The Headteacher alone makes the decision to proceed to permanent exclusion. Wherever possible, the school seeks to avoid permanent exclusions and an exclusion may not be enforced if doing so could put the safety of the pupil at risk.

In cases where the child attends more than one school i.e. dual registration, consultation will be carried out with the other school to consider whether the exclusion should be from one or both schools.

Managed Moves

Newham local authority operates a managed move process as an alternative to permanent exclusion via the Pupil Placement Panel (PPP) which meets regularly. If the Headteacher decides that a managed move would be beneficial for a pupil to have a fresh start in a new mainstream school to prevent a permanent exclusion, the Headteacher may request another headteacher to admit the pupil.

A managed move is a voluntary, permanent transfer to a new school. This is done with the full knowledge, co-operation, and informed consent of all parties involved, including parents/carers, governors, and the LA (Behaviour Support Service).

Mandatory Incorporation of Pupil Voice

Before a managed move is formally proposed or a referral is made, the school has a statutory duty to ensure the pupil's perspective is central to the decision-making process:

- **Seeking Views:** The school will explicitly seek the views of the pupil regarding the potential move, ensuring they understand what a managed move means.
- **Appropriate Support:** The school will provide the pupil with a trusted staff member or appropriate support to help them express their feelings, worries, or wishes freely.
- **Age and Understanding:** The pupil's views will be genuinely considered and weighted in light of their age, maturity, and developmental understanding.
- **Formal Recording:** The pupil's expressed views must be formally recorded by the school and attached to the case file.

Off-Site Direction (To Improve Behaviour)

Under the *Education (Educational Provision for Improving Behaviour) Regulations 2026*, the Trust has the explicit statutory power to direct a pupil off-site to another educational setting or alternative provision temporarily to improve their behavior.

While parental consent is not legally required for an off-site direction, the schools will always work collaboratively with families. This process must not be used as a backdoor or unofficial exclusion ("off-rolling").

1. Pre-Decision and Pupil Voice

Before a formal decision to direct a pupil off-site is made, the Headteacher must seek, support, and record the **views of the pupil**, taking into account their age and understanding. The school will also consult with parents/carers and any relevant external support agencies.

2. Mandatory Written Notice (2-Day Rule)

The school must provide parents/carers (and the local authority if the pupil has an Education, Health and Care Plan – EHCP) with a formal written notice detailing the placement. This notice must be sent **at least two school days** before the off-site direction is due to start.

The written notice must explicitly state:

- The specific objectives and reasons for the off-site direction.
- The date the placement will begin and its expected duration.
- The full address of the off-site provision.
- The name of the specific individual the pupil must report to on their first day.
- The date, time, and location of the first formal review meeting.

3. Statutory Review Meetings

The placement must be monitored via formal review meetings held at regular, defined intervals. The first review date will be set out in the initial notice.

To comply with the regulations, the review panel **must** include:

- The Headteacher (or designated lead).
- The pupil's parents or carers.
- A representative nominated by the Board of Trustees (who **cannot** be the Headteacher).
- A representative from the Local Authority **must** be invited if the pupil holds an EHCP.

At each review, the panel will evaluate the pupil's progress against the set behavioral objectives and formally decide whether the direction should continue, be amended, or end, allowing the pupil to return to full-time mainstream education at their home school.

How parents and carers are informed about suspensions and exclusions

When the decision has been made to suspend a pupil, the school will contact the parents/carers immediately. While it is expected that parents will collect their child as soon as possible, the suspension takes legal effect from the moment the child is formally removed from education. The school will ensure the pupil is safely supervised on-site under appropriate conditions until they can be collected, and this time will be officially recorded as part of the suspension period.

A letter will be sent home within 24 hours outlining the following:

- The reason for the suspension or permanent exclusion.
- Whether the decision is a suspension or a permanent exclusion.
- If it is a suspension, the specific number of school days it will last.
- The arrangements made by the school or other educational provision for your child's education to continue during the first five school days, including the setting and marking of work. It is the parents' responsibility to ensure that work sent home is completed and returned to school.
- Parents' responsibility during the first five days of any suspension to ensure that the child is not present in a public place during school hours without reasonable justification.

- The arrangements made by the school to provide suitable full-time educational provision for the child if suspended for more than 5 days. For example, start date, start and finish times, the address of the provision and the person to report to at the provision (see below).
- The parents' rights to make a representation to the board of trustees and how the pupil may be involved in this.
- Details of the reintegration interview (parents and child) with a member of the Leadership Team upon the child's return to school.

Language Interpretation

Where parents require translation of letters or an interpreter present at a meeting, the school will ask if they have a trusted friend or relative who could provide this service for them. If this is not the case, the school can arrange this through the Newham Language Shop which offers interpreting, translation and British Sign Language services.

Off Site Education for excluded pupils

For any suspension exceeding 5 consecutive school days, the academy trust has a duty to provide full-time alternative provision from the 6th day. The Phoenix is a Newham provision specialising in supporting pupils who have been excluded or are in danger of being so. Attendance provides the opportunity for pupils to explore the events that led to the exclusion and identify different choices which could have been made.

Attendance Codes

When a pupil has been suspended or permanently excluded, they must be marked absent using Code E (suspended or permanently excluded and no alternative provision made). Where alternative provision has been arranged and the pupil is attending that provision, they will be marked using Code B (Attending any other approved educational activity).

Pupils with Special Educational Needs and Disability (SEND)

The trust must take into account any special educational needs when considering whether or not to exclude a pupil. Britannia Education Trust has the duty under the Equality Act 2010 and the school's Public Sector Equality Duty not to discriminate against SEND pupils. Any exclusion related to pupils with SEND will be discussed in depth by the Leadership Team and, if appropriate, outside agencies. Their needs will be taken into consideration and each case will be dealt with on an individual basis.

Pastoral Support Plans

It may be felt that a child is at risk of permanent exclusion due to the inappropriate behaviour being displayed. In this circumstance the school will put a Pastoral Support Plan (PSP) into place in order to support the pupil and try to prevent this occurring. This is a 16 week plan that involves the pupil, school and parents working together to establish clear targets for improvement and the support measures (both at home and school) needed to achieve these. There are then regular reviews to assess progress and make amendments as needed. Where appropriate, other agencies will also be part of this process to ensure that specific professional expertise is accessed in order to meet the needs of the pupil.

Safeguarding Separation vs. Disciplinary Suspension

Safeguarding removals will follow strict welfare protocols rather than the disciplinary exclusion framework. If a pupil needs to be removed temporarily or kept apart from others due to a safeguarding risk or a harm allegation, this will not be treated as a suspension.

Challenging an Exclusion decision

Parents have a right to make a representation to the school's Board of Trustees, whether it is a suspension or a permanent exclusion. Advice would be outlined in the initial exclusion letter. 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. The governing board will consider any representations made and place a copy of their findings in the pupil's record.

In the case of a suspension which results in a pupil being suspended for a total of **more than 5 school days but no more than 15 school days** in a single term, the Board of Trustees must convene a meeting to consider the suspension if the parents request it. This meeting must take place within **50 school days** of the trust receiving notice of the suspension. If the suspension period has already expired and the pupil has returned to school, the panel will meet to consider whether the Headteacher's decision was lawful, reasonable, and procedurally fair, and place a record of their findings on the pupil's educational record.

The Board of Trustees **must** automatically convene a meeting to consider reinstatement within **15 school days** of receiving notice from the Headteacher if:

- It is a permanent exclusion.
- It is a suspension which brings the pupil's total number of days of suspension to more than 15 school days in a single term.
- It will result in the pupil missing a national curriculum test or public examination (in which case the board will take all reasonable steps to meet before the date of the test).

Challenging the Board of Trustees' decision – Independent Review

In the case of a suspension, the decision of the Board of Trustees cannot be challenged. However, in the case of a permanent exclusion, an appeal can be made to an Independent Review Panel (IRP) to request a review of the decision reached by the Board of Trustees.

Decision letters sent by any of the Trust schools to the parent(s) will include the details of the right of independent review and who to contact to arrange one. The parent(s) have 15 school days (from the date of receipt of the decision to permanently exclude) to seek an independent review. On receipt of such a request, the trust will engage the services of an external agency, such as NPW (Newham Partnership Working) to arrange the panel members and clerk for the independent review which must take place within 15 school days of the parents application.

The panel will include someone from each of the following 3 categories:

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

The panel members must be completely independent of the school, have no knowledge of the case and have undergone appropriate training. Parents also have the right to request the attendance of an SEN expert at the IRP meeting.

Following the review, the IRP will do one of the following:

- uphold the exclusion of the child
- recommend the Board of Trustees reconsiders their decision
- quash the original panel's decision and direct the Board of Trustees to reconsider the exclusion

Note - Remote Meeting Notifications

Parents have the right to request that Governing Board or Independent Review Panel (IRP) meetings be held remotely via video link. Requests should be made to the Trust Business Manager, contactable via the school office.

Monitoring

The headteacher, Leadership and Inclusion teams monitor behaviour and the effectiveness of policies relating to behaviour and exclusions regularly. The Board of Trustees receives reports on the effectiveness of the policy and, if necessary, makes recommendations for further improvements.

The schools keep a variety of records of incidents of misbehaviour. The class teacher records classroom incidents through the tracking and consequences system. Any persistently unacceptable behaviour is followed up by the Behaviour Lead and SENCO who will refer to outside agencies such as the Behaviour Support or Educational Psychology Services if necessary.

The school keeps a record of any pupil who is suspended or who is permanently excluded.

It is the responsibility of the Board of Trustees to monitor the rate of exclusions and to ensure that the school's policy is administered fairly and consistently.

REVIEW OF THIS PROCEDURE

The CEO will review this policy annually or earlier if the board receives recommendations on how the policy might be improved.

Appendix 1

Suspension and permanent exclusion from maintained schools, academies and pupil referral units in England, including pupil movement - Statutory guidance for maintained schools, academies and pupil referral units in England

[July 2026 Statutory Guidance](#)

Appendix 2

A summary of the governing board's duties to consider reinstatement:

Conditions of exclusion

Governing board duties

Does the exclusion meet any of the following conditions?

- It is a permanent exclusion
- It is a suspension that alone, or in conjunction with previous exclusions, will take the pupil's total number of days out of school above 15 for a term. This includes suspensions that total 15.5 days
- It is a suspension or permanent exclusion that will result in the pupil missing a public exam or national curriculum test*

↓ **Yes**

The governing board must convene a meeting to consider reinstatement **within 15 school days** of receiving notice of the suspension or permanent exclusion.⁶³

*If the pupil will miss a public exam or national curriculum test, the governing board must take reasonable steps to meet **before** the date of the examination. If this is not practical, the chair of governors may consider pupil's reinstatement alone.

⁶⁴

↓ **No**

Will the suspension(s) take the pupil's total number of school days out of school above five but less than 16 for the term?

↓ **No**

The governing board must consider any representations made by parents but does not have the power to decide whether to reinstate the pupil.

Yes

Has the parent made representations?

↓ **Yes**

The governing board must convene a meeting to consider reinstatement within 50 school days of receiving notice of the suspension.

↓ **No**

The governing board is not required to consider the suspension and does not have the power to decide to reinstate the pupil.

⁶² Parents on diagram refer to parent if the pupil is under 18 or the excluded pupil, aged 18 or over.

⁶³ The governing board may delegate its functions to consider a suspension or permanent exclusion to a designated committee.

⁶⁴ The ability for a chair to review in the case of public exams refers only to maintained schools.