Suspension and Permanent Exclusion Policy

This policy is effective for all schools within The Mead Educational Trust.

Version:	4.0
Ratified by:	Executive Team
Date ratified:	1st September 2026
Next review:	This policy does not have a fixed review date. It is assessed annually to ensure it remains accurate and up to date. In addition, it is reviewed as needed in response to changes in law, guidance or organisational practice. The version above reflects the most recent assurance check.

Revision History:

Version	Date	Author	Summary of Changes
4.0	Aug 2026	CBR	Updates in line with DfE Suspension and Permanent Exclusion guidance July 2026, specifically: • 3 – updated the Education Regulations details • 4 – ref to preventative measures Other changes: 5 – further detail on off-rolling 7.2 – clarification on who will be on exclusions panels 8.1 – removal of chair of governor's ability to consider as this only applies to maintained schools 8.1 – addition of practice in TMET for consideration of suspensions not more than 5 days in term 8.3 – addition of considerations from guidance 9 – removal of absence coding details 10 – removal of some detail that is in guidance
3.0	Aug 2023	CBR	Amendments in line with updates to DfE Suspension and Permanent Exclusion guidance which applies from 1 Sept 2023, specifically: • 5 - updated wording for cancelling exclusions • 6.1.2 – addition of right for SW/VSH to join exclusion panel meeting remotely • 7.1 – wording updated to match DfE guidance • 7.2 – addition of right to request remote panel meeting 9 – removed reference to LA organising IRP as TMET no longer buys into this service.
Previous versions available on request.			

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1. Introduction

This policy is effective for all schools within The Mead Educational Trust (TMET).

TMET schools aim to ensure that:

- the suspension and permanent exclusion process is applied fairly and consistently;
- the suspension and permanent exclusion process is understood by academy councillors, staff, parents and pupils;
- pupils in school are safe and happy; and
- pupils do not become NEET (not in education, employment or training).

2. Definitions

Principal: in TMET, this is the person who has the head teacher responsibilities for the school as set out in the DfE guidance on suspension and permanent exclusion. This may be the acting principal in the absence of the principal.

Suspension: where a pupil is temporarily removed from the school for a fixed period.

Permanent exclusion: when a pupil is no longer allowed to attend a school.

School day: for the purposes of suspensions and permanent exclusions, school day is defined as any day on which there is a school session. Therefore, INSET or staff training days do not count as a school day.

Academy council: this is the body responsible for governance of the school, although the Trust Board is ultimately accountable for governance across the Trust and all its schools. Responsibilities regarding consideration of suspensions and permanent exclusions are delegated by the Trust Board to the school's academy council, as set out in the TMET Scheme of Delegation.

Parents: this includes any person who has parental responsibility and any person with whom the child lives. Where practicable, all those with parental responsibility should be involved in the exclusions process.

3. Legislation and statutory guidance

This policy is based on guidance from the Department for Education: Suspension and permanent exclusion from maintained schools, academies and pupil referral units in England

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

- the Education Act 2002, as amended by the Education Act 2011;
- the School Discipline (Pupil Exclusions and Reviews) (England) Regulations 2012;
- the Education and Inspections Act 2006;
- the Education Act 1996; and
- 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 and as modified and amended by the Education (Educational Provision for Improving Behaviour) (Application to Academies and Pupil Referral Units and Minor Amendments) Regulations 2026.

4. Decision to suspend or permanently exclude

See Parts 3 and 4 of DfE guidance for full details.

Only the principal can suspend or permanently exclude a pupil from school. A decision to suspend or permanently exclude a pupil must be on disciplinary grounds. A permanent exclusion will be taken as a last resort.

We are committed to following all statutory suspension and permanent exclusion procedures to ensure that every child receives an education in a safe and caring environment. We are also committed to consider and explore preventative measures to school exclusion such as off-site direction and managed moves, as detailed in Part 4 of the DfE guidance.

Before deciding whether to suspend or permanently exclude a pupil the principal will:

- consider all the relevant facts and evidence, including whether the incident(s) leading to the suspension or permanent exclusion were provoked and any mitigating factors;
- allow the pupil to give their version of events; and
- consider whether the pupil has special educational needs (SEN).

A decision to **permanently** exclude a pupil 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.

5. Off-rolling and unlawful exclusions

See paragraph 21 of DfE guidance for full details.

Off-rolling is the practice of telling or forcing a pupil to leave school, or not allowing them to attend school, without using a suspension or permanent exclusion. **Off-rolling is not permitted**. Further examples include:

- exercising undue influence over a parent to remove their child from the school;
- moving a pupil to off-site alternative provision where that is not in the best interests of that pupil;
- sending a pupil home without a formal suspension regardless of whether it occurs with the agreement of parents;
- placing a pupil on a part-time timetable for behavioural reasons; and
- intentionally removing a pupil from the school roll without correctly following regulations.

6. Cancelling suspensions or exclusions

The principal can cancel any suspension or exclusion that has already begun (or one that has not yet begun), but this can only happen when the exclusions panel has not yet met to consider whether the pupil should be reinstated. Information on actions to be taken in such a situation are listed in paragraph 13 of the DfE guidance.

7. Roles and responsibilities

7.1 The principal

See Part 3 of DfE guidance for full details.

7.1.1 Informing parents

The principal will immediately provide the following information, in writing, to the parents of a suspended or permanently excluded pupil:

- the reason(s) for the suspension or permanent exclusion;
- the period of a suspension or, for a permanent exclusion, the fact that it is permanent;
- parents' right to make representations about the suspension or permanent exclusion to the academy council;
- parents' right to make a request to hold any meeting pertaining to this policy via the use of remote access;
- how any representations should be made; and
- where there is a legal requirement for the academy council to meet to consider the suspension or permanent exclusion, that parents have a right to attend a meeting, be represented at that meeting (at their own expense) and to bring a friend.

The principal will also notify parents that for the first 5 school days of a suspension or permanent exclusion, or until the start date of any alternative provision where this is earlier, parents are legally required to ensure that their child is not present in a public place during school hours without a good reason. Parents may be given a fixed penalty notice or prosecuted if they fail to do this.

If alternative provision is being arranged, the following information will be included:

- the start date for any provision of full-time education that has been arranged for the child during the suspension or permanent exclusion;
- the start and finish times of any such provision, including the times for morning and afternoon sessions where relevant;
- the address at which the provision will take place; and
- any information required by the pupil to identify the person they should report to on the first day.

Where this information on alternative provision is not reasonably ascertainable by the end of the afternoon session on the first day of the suspension or permanent exclusion, it may be provided in a subsequent notice, but it will be provided without delay no later than 48 hours before the provision is due to start. The only exception to this is where alternative provision is to be provided before the sixth day of a suspension or permanent exclusion, in which case the information can be provided with less than 48 hours' notice with parents' consent.

7.1.2 Informing social workers and Virtual School Heads (VSHs)

Whenever a principal suspends or permanently excludes a pupil they must, without delay, after their decision, also notify the social worker, is a pupil has one, and the VSH, if the pupil is a looked after child (LAC), of the period of the suspension or permanent exclusion and the reason(s) for it.

The social worker and/or VSH must be informed when the exclusions panel meeting is taking place, in order to share information. The social worker and/or VSH can attend the meeting, should they

wish to do so. The social worker and/or VSH should be allowed to join an in person exclusions panel meeting remotely if they wish.

7.1.3 Informing the academy council

The principal will immediately notify the academy council and the Trust Exclusions Administration Team of:

- any permanent exclusion (including when a suspension is followed by a decision to permanently exclude the pupil);
- any suspension or permanent exclusion which would result in the pupil being suspended or permanently excluded for a total of more than five school days (or more than ten lunchtimes) in a term; and
- any suspension or permanent exclusion which would result in the pupil missing a public examination or national curriculum test.

For all other suspensions, the principal will notify the academy council and Trust Central Team once a term via summary data reporting.

7.1.4 Informing the local authority (LA)

The LA must be informed without delay of all permanent exclusions and of all suspensions regardless of the length of the suspension.

For a permanent exclusion, if the pupil lives outside the LA area in which the school is located, the principal will also notify the pupil's 'home authority' of the permanent exclusion and the reason(s) for it without delay.

7.2 The academy council

See Parts 6 and 7 of DfE guidance for full details.

Responsibilities regarding consideration of some suspensions and all permanent exclusions are delegated by the Trust Board to the school's academy council, as set out in the TMET Scheme of Delegation.

Consideration of a suspension or permanent exclusion will be by an exclusions panel of three academy councillors from any schools in the Trust. Trustees may also be on an exclusions panel. Occasionally it is not possible to secure three panel members to meet within the timescale set out in the DfE guidance. In such cases, the exclusions panel will comprise two members and the panel chair will have the casting vote.

Within 14 days of receipt of a request, the academy council will provide the Secretary of State with information about any exclusions in the last 12 months.

For a suspension of more than 5 school days, the academy council will arrange suitable full-time education for the pupil. This provision will begin no later than the sixth day of the exclusion.

Provision does not have to be arranged for pupils in the final year of compulsory education who do not have any further public examinations to sit.

7.3 The LA

See Part 6 of DfE guidance for full details.

For permanent exclusions, the LA is responsible for arranging suitable full-time education to begin no later than the sixth day of the exclusion.

8. Considering the suspension/exclusion and reinstatement of a pupil

See Part 7 of DfE guidance for full details and the flow chart which summarises the governing board's (or academy council's) duties to consider reinstatement.

8.1 When reinstatement must be considered

The exclusions panel will consider the reinstatement of an excluded pupil within 15 school days of receiving the notice of the exclusion if:

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

Where a suspension or exclusion would result in a pupil missing a public exam or national curriculum test, the exclusions panel will take reasonable steps to meet before the date of the exam.

If the suspension(s) take the pupil's total number of days out of school above five but not more than 15 for the term, and the parents have made representations, the exclusions panel will consider within 50 school days of receiving the notice of suspension whether the suspended pupil should be reinstated. In the absence of any representations from the parents, the panel is not required to meet and cannot direct the reinstatement of the pupil.

If the suspension(s) does not take the pupil's total number of days or suspension to more than five in a term, the academy council must consider any representations made by parents, but it cannot direct reinstatement and is not required to arrange a meeting with parents. In The Mead Educational Trust schools, this consideration will normally be carried out by one academy councillor who will consider written representations from the parents and the principal.

8.2 Requests for remote meetings

Parents can request an exclusion panel meeting to be held remotely but this should not be the default option. Parents should be given the option to request a remote meeting but should not be placed under any pressure to request this. They should be asked to consider whether they have the technology, internet access and appropriate space free of distractions to enable them to participate fully with a remote meeting. Holding a meeting remotely must only be done if the meeting can be held fairly and transparently.

Remote meetings can also be held in the case of extraordinary events or unforeseen circumstances such as flood, fire or outbreak of disease.

8.3 Exclusions panel decision

See paragraphs 133 to of the DfE guidance for further details.

In reaching a decision, the exclusions panel should consider whether the decision to suspend or permanently exclude was lawful, reasonable and procedurally fair. They should consider the welfare and safeguarding of the pupil and their peers, the principal's legal duties, and any evidence that was presented to the panel in relation to the decision to exclude.

When establishing the facts in relation to an exclusion, the panel will apply the civil standard of proof, i.e. 'on the balance of probabilities', rather than the criminal standard of 'beyond reasonable doubt'.

The exclusions panel can either:

- decline to reinstate the pupil; or
- direct reinstatement of the pupil immediately or on a particular date.

A clerk will be appointed to the panel. Minutes will be taken of the meeting, and a record of evidence considered kept. The outcome will also be recorded on the pupil's educational record.

8.4 Communication after panel decision

Where legally required to consider reinstating a suspended or permanently excluded pupil, The exclusions panel will notify the parents, principal, the LA and, where relevant, the pupil's social worker and/or the VSH of its decision, and the reasons for its decision, in writing and without delay.

In the case of a **permanent exclusion** where the exclusions panel decides not to reinstate the pupil, the notification will also include the following information:

- The fact that it is permanent.
- Notice of parents' right to ask for the decision to be reviewed by an independent review panel (IRP), and:
  a) the date by which an application for an independent review must be made;
  b) the name and address to whom an application for a review should be submitted;
  c) that any application should set out the grounds on which it is being made and that, where appropriate, reference to how the pupil's SEN are considered to be relevant to the permanent exclusion;
  d) that, regardless of whether the permanently excluded pupil has recognised SEN, parents have a right to require The Mead Educational Trust to appoint an SEN expert to advise the review panel;
  e) details of the role of the SEN expert; and
  f) that parents may, at their own expense, appoint someone to make written and/or oral representations to the panel.
- That, if parents believe that there has been unlawful discrimination in relation to the permanent exclusion, they may make a claim under the Equality Act 2010 to the First-tier Tribunal (Special Educational Needs and Disability) in the case of disability discrimination, or the County Court, in the case of other forms of discrimination. A claim of discrimination made under these routes should be lodged within six months of the date on which the discrimination is alleged to have taken place (e.g. the day on which the pupil was excluded).

9. Removing a permanently excluded pupil's name from the school register

See Part 8 of DfE statutory guidance for full details.

A permanently excluded pupil's name will be removed from the school admissions register if:

- 15 school days have passed since the parents were notified of the exclusion panel's decision to not reinstate the pupil and no application has been made for an independent review panel (IRP); or
- the parents have stated in writing that they will not be applying for an IRP.

Where an application for an IRP has been made within 15 school days, the school will wait until that review has been determined, or abandoned, and until the academy council has completed any reconsideration that the panel has recommended or directed it to carry out, before removing a pupil's name from the register.

Whilst a permanently excluded pupil's name remains on the school's register, the pupil should be marked using the appropriate attendance code.

10. Independent review

See DfE statutory guidance Parts 9 and 10 for full details.

In the case of a **permanent exclusion** where the exclusions panel decides not to reinstate the pupil, parents have the right to ask for the decision to be reviewed by an independent review panel (IRP).

If parents apply for an independent review within the legal time frame, TMET will arrange for an independent panel to review the decision of the exclusions panel not to reinstate a permanently excluded pupil.

Applications for an independent review must be made within 15 school days of notice being given to the parents of the exclusions panel decision to not reinstate the pupil.

A panel of three members will be constituted representing each of the three 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 school governor or volunteer.
- A current or former school governor who has served as a governor for at least 12 consecutive months in the last five years, provided they have not been a teacher or head teacher during that time.
- A head teacher or an individual who has been a head teacher within the last five years.

A clerk will be appointed to the panel.

Following its review the independent review panel can decide to:

- uphold the academy council decision not to reinstate;
- recommend that the academy council reconsiders reinstatement; or
- quash the decision and direct that the academy council reconsiders reinstatement.

11. Returning from a suspension

Following a suspension, a re-integration meeting will be held involving the pupil, parents, a member of senior staff and other staff, where appropriate. Appropriate measures may be implemented such as agreeing a behaviour contract, putting the pupil 'on report' or internal isolation.

12. Monitoring arrangements

The principal monitors the number of suspensions and permanent exclusions every term and reports back to the academy council and Trust. They also liaise with the local authority to ensure suitable full-time education for excluded pupils.

13. Links with other policies and documents

This policy is linked to the school:

- Behaviour Policy
- SEND Policy
- SEN Report