



Danegrove Primary School

Exclusion of Pupils Policy

Last review date:	4th September 2026
Approved by:	Full Governing Board
Next review date:	4th September 2027
Person/s responsible:	Miss L. Oliver, Head teacher

Contents

1. Rationale	3
2. Legislation & Statutory Requirements	3
3. Terminology	3
4. Off-rolling.....	3
5. Authority to Exclude.....	4
6. Decision to Exclude.....	4
7. Behaviour Related to Protected Characteristics.....	6
8. Lunchtime Suspensions.....	6
9. Suspension/Exclusion Procedure	6
10. Permanent Exclusion	7
11. Education whilst Suspended/Excluded	7
12. Informing the Local Authority	7
13. Governors	8
14. School Registers	8
15. Links to other Policies	8

Rationale

This policy deals with the policy and practice which informs the School's use of exclusion. It is underpinned by the shared commitment of all members of the school community to achieve two important aims:

- The first is to ensure the safety and well-being of all members of the school community, and to maintain an appropriate education environment in which all can learn and succeed;
- The second is to realise the aim of reducing the need to use exclusion as a sanction.

Legislation and Statutory Requirements

This policy is based on advice from the Department for Education (DfE) on:

- 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
- 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
- the DfE publication - 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 – updated July 2026.

Terminology

In this policy the word 'suspension' is used to refer to what legislation calls an exclusion for a fixed period. Suspensions and permanent exclusions are both types of exclusion, and where this guidance uses the word 'exclusion' this includes both suspensions and permanent exclusions.

Off-Rolling

Danegrove Primary School is aware that off-rolling is unlawful. Ofsted defines off-rolling as:

The practice of removing a pupil 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 pupil.

We will not suspend or exclude pupils unlawfully by directing them off site, or not allowing pupils 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

The decision to suspend/exclude a pupil will be taken in the following circumstances: -

- (a) In response to a serious breach of the School's Behaviour Policy
- (b) If allowing the pupil to remain in school would seriously harm the education or welfare of the pupil or others in the school.

Suspension or permanent exclusion is an extreme sanction and is only authorised by the Head teacher (or acting head teacher in their absence). Suspensions or exclusions must not be delegated to any other member of staff or school community.

Decision to Exclude

A pupil 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 pupil will only be taken:

- in response to a serious breach, or persistent breaches, of the School Behaviour Policy; and where a pupil's behaviour means that allowing the pupil to remain in school would seriously harm the education or welfare of the pupil 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 Head teacher 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.'

Exclusion will not be imposed instantly unless there is an immediate threat to the safety of others in the school or the pupil concerned. Before deciding whether to suspend/exclude a pupil the Head teacher will:

- **Investigation 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, the Head teacher may consider the behaviour of a pupil outside school as grounds for an exclusion or suspension.
- **Pupil voice:** Allow and encourage the pupil to give their version of events. The Head teacher will give the pupil 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.
- **Vulnerable pupil:** Find out whether the pupil comes into a category that is known to be a particularly vulnerable group (e.g., pupils with SEND, pupil premium pupils; looked after children; pupils 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 pupil has any SEND, the Head teacher will consider if any reasonable adjustments need to be made to ensure the pupil has been provided with adequate support and to consider whether any further support can be provided. The Head teacher will seek to understand the underlying cause of the behaviour and consider whether the pupil'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/Virtual School Head (VSH):** Where a pupil has a social worker or a Virtual School Head (VSH) the Head teacher 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 or alternative solutions have been explored, including part-time timetables (must be for the shortest time necessary and be regularly reviewed) 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.

If the Head is satisfied that on the balance of probabilities the pupil did what he/she is alleged to have done, suspension or permanent exclusion will be the outcome.

Exclusion, whether as a suspension or permanent, may be used for any of the following, all of which constitute examples of unacceptable conduct, and are infringements of the School's Behaviour Policy:

- Verbal abuse towards staff and others
- Verbal abuse towards pupils
- Physical abuse of/attack on staff
- Physical abuse of/attack on pupils
- Indecent behaviour
- Damage to property
- Misuse of illegal drugs
- Misuse of other substances
- Smoking/vaping
- Theft
- Serious actual or threatened violence against another pupil or a member of staff
- Sexual abuse or assault
- Supplying an illegal drug
- Carrying an offensive weapon
- Arson
- Unacceptable behaviour which has previously been reported and for which school sanctions and other interventions have not been successful in modifying the pupil's behaviour.

This is not an exhaustive list and there may be other situations where the Head teacher makes the judgement that exclusion is an appropriate sanction.

The Head teacher will not:

- exclude or suspend any pupil for non-disciplinary reasons
- use exclusion informally or unofficially, pupils 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

Danegrove primary School 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 pupils 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 pupil's disability. Where permanent exclusion or suspension needs to be considered, the school will ensure that a pupil 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 pupil'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 pupil's educational needs is required.

Where a pupil 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 consider all relevant strategies and support to help avoid suspensions/exclusions for pupils with SEND and help ensure these pupils are fully supported in school and in liaison with other agencies. We will also work proactively with parent/carers in supporting behaviour of pupils with additional needs.

Lunchtime suspensions

A suspension can be for parts of the school day. For example, pupils 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 Head teacher's duty to notify parent/carers, still apply. For statistical purposes lunchtime suspensions are counted as half a school day.

Suspension/Exclusion Procedure

Most exclusions are of a fixed term nature and are of short duration (usually between one and three days). The DfE regulations allow the Head teacher to suspend a pupil for one or more fixed periods not exceeding 45 school days in any one school year.

Following exclusion, parents are contacted immediately where possible. A letter will be sent by post or email:

- giving reasons for the exclusion
- the length of the exclusion and the date the exclusion ends
- giving a date and time for a re-integration meeting.
- Informing parent/carers that they are legally required to ensure that their child is not present in a public place during school hours without a good reason and that Parent/carers may be given a fixed penalty notice or prosecuted if they fail to do this.
- explaining the process and the contact person for learning whilst suspended

Parents have a right to make representations to the Governing Body and the LA as directed in the letter.

A re-integration meeting will be held following the expiry of the suspension and this will involve a member of the Senior Management Team and other staff where appropriate.

If the suspension is greater than five days or an accumulation of suspensions exceed five days, a Support Plan will be drawn up. This needs to be agreed with the school, pupil and parents.

During the course of a suspension where the pupil is to be at home, parents are advised that the pupil is not allowed on the school premises, and that daytime supervision is their responsibility as parents/guardians.

Permanent Exclusion

The decision to exclude a pupil permanently is a serious one. There are two main types of situation in which permanent exclusion may be considered:

- The first is a final, formal step in a concerted process for dealing with disciplinary offences following the use of a wide range of other strategies, which have been used without success. It is an acknowledgement all available strategies have been exhausted and is used as a last resort. This would include persistent and defiant misbehaviour including bullying (which would include racist or homophobic bullying) or repeated possession and/or use of an illegal drug on school premises.
- The second is where there are exceptional circumstances and it is not appropriate to implement other strategies and where it could be appropriate to permanently exclude a pupil for a first or 'one off' offence. These might include:
 - Serious actual or threatened violence against another pupil or a member of staff
 - Sexual abuse or assault
 - Supplying an illegal drug
 - Carrying an Offensive Weapon (Offensive weapons are defined in the Prevention of Crime Act 1953 as "any article made or adapted for causing injury to the person; or intended by the person having it with him for such use by him").
 - Arson

The school will consider police involvement for any of the above offences. These instances are not exhaustive but indicate the severity of such offences and the fact that such behaviour seriously affects the discipline and wellbeing of the school.

Education whilst Suspended/Excluded

During the first five days of a suspension

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

For a suspension of more than five school days

For a suspension of more than five school days for a pupil of compulsory school age, then the LA must find suitable full-time education for the pupil to begin no later than the sixth day of the exclusion.

Where a pupil receives consecutive suspensions, these are regarded as a cumulative period of exclusion for the purposes of this duty. This means that if a pupil has more than five consecutive school days of exclusion, then the local authority must provide full time education from the sixth school day of exclusion, regardless of whether this is as a result of suspension or more than one suspension.

For permanent exclusions, Barnet LA has responsibility for arranging suitable full-time education for the pupil.

Informing the Local Authority

The Head teacher will notify the LA of all suspensions and permanent exclusions as soon as possible, regardless of the length of a suspension. The notification will be made using the relevant online system and 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
- if the pupil is vulnerable (FSM/SEND etc.)

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

Informing the pupil's social worker and/or virtual school head (VSH) As noted above, if a:

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

Governors

Parents or carers have the right to appeal a suspension/permanent exclusion. They must write to the chair of the Governors' Discipline Committee (GDC) expressing their concerns and asking for a review of the head teacher's decision to suspend their child.

The letter should be addressed to the school and will be passed on to the chair of Governors.

If the exclusion is over 15 school days or an accumulation of 15 school days in one school term, then the GDC will meet automatically to review the exclusion. Parents or carers will be invited to this meeting and can make representation to the panel.

Permanent Exclusions

When the head teacher has taken the decision that the pupil should be removed from the school permanently, the GDC will be required to meet within 15 school days to review the decision. It is the parents or carers right to attend this meeting and make representations to the GDC.

If the GDC upholds the Head teacher's decision to permanently exclude the pupil, the parents or carers also have the right to make to request an Independent Review of the exclusion.

The Independent Review Panel is set up by the local authority and is independent of the school, with the purpose being to review the decision made by the GDC.

School Registers

- When a pupil has been suspended code E will apply.
- On the sixth day, where alternative provision has been made for an excluded or suspended pupil and they attend it, code B (education off-site) or code D (dual registration) will be used on the attendance register.

A pupil'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 pupil 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 school will wait until that review has concluded before removing a pupil's name from the register.

Links to Other Policies:

This Exclusion of Pupils policy is linked to the following policies:

- Behaviour Policy
- Child protection and safeguarding policy
- Anti-Bullying policy
- SEND Policy
- Equality Policy