MURDISHAW WEST PRIMARY and NURSERY SCHOOL

SUSPENSION AND PERMANENT EXCLUSION POLICY

Autumn 2026

Policy Title	SUSPENSION AND PERMANENT EXCLUSION
School/HBC	School
Written by	V Edwards
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SCHOOL VALUES

At Murdishaw West Primary and Nursery School, we work together to….. Collaborate, Achieve, Respect and Enjoy. At Murdishaw West, we CARE!

INTENT

Good behaviour in schools is essential to ensure that all pupils benefit from the opportunities provided by education. Therefore, we recognise that school exclusions, managed moves and off-site direction are essential behaviour management tools, used to establish high standards of behaviour and maintaining the safety of everyone at Murdishaw West Primary and Nursery School. For the vast majority of pupils, suspensions and permanent exclusions may not be necessary, as other strategies can manage behaviour. However, if approaches towards behaviour management have been exhausted, then suspensions and permanent exclusions will sometimes be necessary as a last resort. This is to ensure that other pupils and teaching staff are protected from disruption and can learn in safe, calm, and supportive environments.

The principal legislation to which this guidance relates is:

- 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.

IMPLEMETATION

Partnership with Parents

Parents working in partnership with the school to consistently reinforce the school's expectations is an important factor in every child's success. At Murdishaw West Primary and Nursery School, we will work in partnership with parents to ensure that expectations are clear and parents can reinforce them with their children. This includes ensuring that parents are kept informed about decisions made in response to a child's misbehaviour so that we can work together in the best interests of pupils to ensure expectations for behaviour are made clear.

The school is responsible for communicating to pupils, parents and staff, its expectations of standards of conduct. A range of policies and procedures are in place to promote good behaviour and appropriate conduct. These are:

- Behaviour Policy;
- Anti-Bullying Policy;
- Home-School Agreement
- Use of Reasonable Force

Supporting Pupils to Succeed

We aim to include, not exclude, and we approach all challenging behaviour in a supportive and positive way with a restorative approach. We recognise that such behaviour can sometimes be symptomatic of a real, deeper need for our support and understanding. All children can go through times of inappropriate behaviour, and we strive to never "give up" easily on a child as we recognise that each person has a unique contribution to make to school life and we want to support them to achieve this.

We will use behaviour data to assess patterns of challenging behaviour in pupils. Where patterns emerge, we will systematically intervene, this may include the drawing up an Individual Behaviour Plan with SMART targets with the child, parent, teacher and SENDCo.

We will always consider whether the behaviour displayed by the child is a communication of a wider need or could be because the child has additional Social, Emotional and Mental Health (SEMH) needs which would

lead us to believe that they should be covered by the SEN Code of Practice (2014) or covered by the Equality Act (2010).
No exclusion will be initiated without first attempting other strategies or, in the case of a serious single incident, a proper investigation.

Types of Exclusion

Internal separation from class

The school may use supervised separation from a child's usual class as a proportionate, time-limited response to behaviour, or where a separate arrangement is needed to keep children apart for safeguarding reasons. Internal separation is not a suspension or permanent exclusion. The child remains on the school site and must continue to receive suitable education and appropriate supervision.

Before using internal separation, the school will consider the child's age, understanding, SEND, disability, communication needs and individual circumstances. Staff will explain the reason to the child in a way they can understand and inform their parent. The arrangement must be recorded, including its purpose, start and review dates, supervision and learning arrangements, and any reasonable adjustments or support required.

Internal separation must not be used as an informal way of sending a child home, as an indefinite placement, or in a way that prevents the child from accessing education. The school will review the arrangement regularly and end it when it is no longer necessary or appropriate.

Where children are kept apart for safeguarding reasons, the school will record the reason, arrangements and review dates. The Headteacher or a delegated senior leader will check that the arrangement remains necessary, that the child's education and welfare are being supported, and that relevant safeguarding procedures are followed. The governing board will review such arrangements at appropriate intervals as part of its oversight.

Suspension (previously known as fixed-term exclusion)

Suspension

A suspension is a temporary exclusion from school. Only the Headteacher, or a properly authorised acting Headteacher, may suspend a child on disciplinary grounds. A suspension must be for the shortest period that is reasonable in the circumstances. A child may be suspended for one or more fixed periods, up to a maximum of 45 school days in any academic year.

For the first five school days of a suspension, the school will take reasonable steps to ensure that suitable work is set and marked. If the suspension is longer than five school days, the school will arrange suitable full-time education for a child of compulsory school age from the sixth school day. The education must be suitable for the child's age, ability, aptitude and any special educational needs or disabilities.

The school's duties under the Equality Act 2010 and the Children and Families Act 2014 continue to apply. The school will consider reasonable adjustments and the child's special educational needs when making decisions and arranging education.

Permanent exclusion

A permanent exclusion means that the child is no longer allowed to attend the school unless reinstated. Only the Headteacher, or a properly authorised acting Headteacher, may make this decision.

A permanent exclusion may be used only in response to a serious breach, or persistent breaches, of the school's behaviour policy and where allowing the child to remain would seriously harm the education or welfare of the child or others. Permanent exclusion is a last resort, although a serious single incident may be sufficient to warrant it. The decision is made by the Headteacher; the governing board's role is to consider reinstatement where required.

For the first five school days after a permanent exclusion, the school will take reasonable steps to ensure that suitable work is set and marked if the child is not attending alternative provision. The local authority must arrange suitable full-time education for a child of compulsory school age from the sixth school day. Where the child has an EHC plan, the school will liaise with the local authority about the child's needs and provision.

The reasons below are examples of the types of circumstances that may warrant a suspension or permanent exclusion.

- Physical assault against a pupil
- Physical assault against an adult
- Verbal abuse or threatening behaviour against a pupil
- Verbal abuse or threatening behaviour against an adult
- Use, or threat of use, of an offensive weapon or prohibited item that has been prohibited by a school's behaviour policy
- Bullying
- Racist abuse
- Abuse against sexual orientation or gender reassignment
- Abuse relating to disability

This list is non-exhaustive and is intended to offer examples rather than be complete or definitive.

Cancelling Exclusions

The headteacher can cancel any exclusion that has already begun (or one that has not yet begun), but this can only happen when the governing board has not yet met to consider whether the pupil should be reinstated. Where an exclusion is cancelled:

- The headteacher must notify the parents, the governing board, the LA and the pupil's social worker and VSH as applicable, without delay. The notification must also provide the reason for the cancellation;
- The governing board's duty to consider reinstatement ceases, and there is no requirement to hold a meeting to consider reinstatement;
- Parents (or the excluded pupil if they are 18 years or older) should be offered the opportunity to meet the headteacher to discuss the circumstances that led to the exclusion being cancelled.
- The pupil must be allowed back into the school from which they were excluded without delay.
- Any days spent out of school as a result of any exclusion, prior to the cancellation will count towards the maximum of 45 school days permitted in any school year.
- A permanent exclusion cannot be cancelled if the pupil has already been excluded for more than 45 school days in a school year or if they will have been so by the time the cancellation takes effect.

Supporting children and making the decision

Murdishaw West aims to support children to remain in school wherever this can be done safely and appropriately. We recognise that behaviour may communicate unmet need. This is particularly important in our school, where many children have SEND, including SEMH and communication and language needs.

Before deciding whether to suspend or permanently exclude a child, the Headteacher will consider the individual circumstances and the relevant evidence. This includes:

- the seriousness of the incident and its impact on the safety, education or welfare of the child or others;
- the child's account, taking account of their age, understanding and communication needs;
- whether the incident was provoked and any relevant context;
- the child's SEND, disability and any unmet needs that may have contributed to the behaviour;
- whether reasonable adjustments and appropriate support have been provided, and whether further steps could reasonably be taken;
- the child's behaviour record and support already tried; and
- whether the proposed decision is lawful, reasonable, fair and proportionate.

The school will not exclude a child because they have SEND or a disability, or because the school feels unable to meet their needs. The school will consider its duties under the Equality Act 2010, including the duty to make reasonable adjustments, and its duties in relation to special educational provision.

Where a child has an EHC plan and there are concerns about behaviour or the risk of exclusion, the school will contact the local authority at an early stage and consider whether an early review of the plan is needed. For a child with SEND but no EHC plan, the school will review whether the current support is appropriate and whether changes or external advice are needed.

Where behaviour patterns emerge, the school will review relevant information and work with the child and their parent to identify and address possible causes. This may include an individual support plan with clear, measurable targets and regular review, and involvement from the SENDCo or other appropriate professionals. Support does not remove the Headteacher's responsibility to make an individual decision about any incident.

A suspension or permanent exclusion will not be used as an informal or unofficial measure. A child must not be sent home for behaviour without the formal decision and procedures required for a suspension or permanent exclusion.

The school may consider behaviour outside school where it has a relevant connection to the school or affects the orderly running or safety of the school community. Any decision will be made on the facts of the individual case and in line with the school's behaviour policy and statutory guidance.

ROLES & RESPONSIBILITIES

The Headteacher

Informing parents

The Headteacher will notify the child's parent in writing without delay when a suspension or permanent exclusion is made. The notice will set out:

- the reason or reasons for the decision;
- the length of the suspension or, for a permanent exclusion, that it is permanent;
- the parent's right to make representations to the governing board, how to do so and any relevant timescales;
- how the child may be involved in the process, taking account of their age, understanding and communication needs;
- the parent's right to attend a governing board meeting where one is required, to be represented at their own expense and to bring a friend;
- whether the child may take any national curriculum test or public examination that falls during the exclusion;
- details of the Department for Education's guide for parents and carers on behaviour, suspension and permanent exclusion; and
- details of the local SENDIASS service.

The school will consider whether the parent or child needs information in an accessible format or further explanation, including where English is an additional language or there are communication or disability-related needs.

By the end of the afternoon session on the day the suspension or permanent exclusion is made, the Headteacher will also notify the parent that, for the first five school days of the exclusion, or until alternative provision starts if earlier, the parent must ensure that the child is not present in a public place during school hours without good reason. The notice will explain that a fixed penalty notice or prosecution may follow if this requirement is not met.

Where alternative provision is arranged, the school will give the parent the start date, session times, address and information about who the child should report to. If these details are not reasonably available when the initial notice is sent, the school will provide them as soon as possible and no later than 48 hours before the provision is due to start, except where the statutory guidance permits shorter notice with the parent's consent.

The Headteacher will notify the child's social worker and the Virtual School Head, where applicable, without delay. Where the child has an EHC plan, the local authority will also be informed as required.

Informing the Governing Board and Local Authority

The Headteacher will notify the local authority without delay whenever a child is suspended or permanently excluded, regardless of the length of the suspension. Where the child lives in a different local authority area, the home authority will also be notified where required.

The Headteacher will notify the governing board without delay when it is required to consider reinstatement. The governing board will be informed of other suspensions at least once a term.

The Headteacher will also notify the governing board and local authority without delay if an exclusion is cancelled. The child's parent, social worker and Virtual School Head will also be notified where applicable.

The Governing Board

The governing board may delegate its functions relating to the consideration of a suspension or permanent exclusion to a designated committee of at least three governors.

The governing board must consider and decide on reinstatement within 15 school days of receiving notice from the Headteacher if:

- the exclusion is permanent;
- a suspension would bring the child's total number of school days out of school to more than 15 in a term; or
- the child would miss a public examination or national curriculum test.

Where a suspension would result in the child being out of school for more than five but fewer than 16 school days in a term, the governing board must consider the case if the parent makes representations. It must make its decision within 50 school days of receiving notice of the suspension. If the parent does not make representations, the governing board is not required to meet and cannot direct reinstatement.

Where a suspension or permanent exclusion would result in the child missing a public examination or national curriculum test, the governing board must, so far as reasonably practicable, consider and decide the case before the date of the examination or test. Any special arrangements for maintained schools will be followed where it is not practicable for the governing board to meet in time.

The governing board will make reasonable endeavours to arrange meetings within the statutory timescales and at a time that suits the relevant parties. It will invite the parent, the Headteacher, a local authority representative where required, and the child's social worker or Virtual School Head where applicable. The child will be enabled to participate or make representations, taking account of their age and understanding.

In reaching its decision, the governing board will consider whether the exclusion was lawful, reasonable and procedurally fair, whether the Headteacher followed their legal duties, and the evidence presented. It will decide disputed facts on the balance of probabilities. The meeting will be minuted, evidence considered will be recorded, and the decision and reasons will be sent in writing without delay.

The Local Authority

Education during and after a suspension or permanent exclusion

For the first five school days of a suspension, the school will take reasonable steps to ensure that suitable work is set and marked. If a suspension lasts longer than five school days, the school will arrange suitable full-time education for a child of compulsory school age from the sixth school day. The school remains responsible for arranging this provision.

Following a permanent exclusion, the local authority must arrange suitable full-time education for a child of compulsory school age from the sixth school day. The school will take reasonable steps to ensure suitable work is set and marked for the first five school days if the child is not attending alternative provision.

Any education arranged must be suitable for the child's age, ability, aptitude and special educational needs. The school will share relevant information and work with the local authority and any receiving provision. Where the child is looked after, the school will liaise with the Virtual School Head and ensure relevant education arrangements are recorded in the child's Personal Education Plan.

Considering the Reinstatement of a Pupil

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

- 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
- It would result in a pupil missing a public examination or national curriculum test

If requested to do so by parents, the Governing Board will consider the reinstatement of an excluded pupil within 50 school days of receiving notice of the exclusion if the pupil would be excluded from school for more than 5 school days, but less than 15, in a single term.

Where an exclusion would result in a pupil missing a public examination, the Governing Board will consider the reinstatement of the pupil before the date of the examination. If this is not practicable, the Chair of the Governing Board (or the Vice-Chair where the Chair is unable to make this consideration) will consider the exclusion independently and decide whether or not to reinstate the pupil.

The Governing Board can either:

- Decline to reinstate the pupil, or
- Direct the reinstatement of the pupil immediately, or on a particular date

In reaching a decision, the Governing Board will consider whether the exclusion 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 pupil's educational record. The Governing Board will notify, in writing, the Headteacher, parents and the LA of its decision, along with reasons for its decision, without delay. Where an exclusion is permanent, the Governing Board's decision will also include the following:

- The fact that it is permanent
- Notice of parents' 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 pupil's SEN are considered to be relevant to the exclusion
    - That, regardless of whether the excluded pupil has recognised SEN, parents have a right to require the LA to appoint an SEN expert to attend the review
    - Details of the role of the SEN expert and that there would be no cost to parents for this appointment
    - That parents must make clear if they wish for an SEN expert to be appointed in any application for a review
    - That parents may, at their own expense, appoint someone to make written and/or oral representations to the panel, and parents may also bring a friend to the review
- That if parents believe that the exclusion has occurred as a result of discrimination, 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 6 months of the date on which the discrimination is alleged to have taken place

An Independent Review

If a parent applies for an independent review of the governing board's decision not to reinstate a child following permanent exclusion, the local authority will arrange for an independent review panel.

An application must normally be made within 15 school days of the parent being notified of the governing board's

decision.

The panel will have three or five members. It will include:

a lay member, who will chair the panel and must not have worked in a school in a paid capacity, apart from as a governor or volunteer;
school governors who have served as governors for at least 12 consecutive months within the previous five years and have not been teachers or headteachers during that time; and
headteachers or people who have been headteachers within the previous five years.
A person cannot serve on the panel if they:

are a member of the local authority or governing board of the excluding school;
are, or have been within the previous five years, the Headteacher of the excluding school;
are an employee of the local authority or the excluding school's governing board, unless employed as a headteacher at another school;
have a connection with the local authority, school, governing board, parent, child or incident that might reasonably raise doubts about their impartiality; or
have not completed the required training within the previous two years.
A clerk will be appointed to the panel. The panel may:

uphold the governing board's decision;
recommend that the governing board reconsiders reinstatement; or
quash the governing board's decision and direct it to reconsider reinstatement, where the decision is judged to be flawed.
The panel will make its decision by majority vote. If votes are tied, the Chair has the casting vote.

School Registers

Following a permanent exclusion, the child's name will be removed from the school admission register only when the relevant statutory requirements have been met. This includes when 15 school days have passed since the parent was notified of the governing board's decision not to reinstate the child and no application for an independent review has been made, or when the parent has confirmed in writing that they will not apply.

Where an application for an independent review has been made, the child's name will not be removed from the register until the review process has concluded.

Attendance will be recorded using the appropriate code under the current school attendance regulations. Where the child is receiving approved education off-site, the school will use code B where applicable. Code D will be used where the child is registered at another school. Code E will be used where the child is absent because of the exclusion and is not attending approved education elsewhere.

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 using Halton's agreed format for these meetings. The following measures may be implemented when a pupil returns from a suspension:

- Agreeing a behaviour contract
- Supporting the pupils' needs through a Behaviour Support Plan with SMART targets that are reviewed and amended regularly
- Putting a pupil 'on a monitoring card'
- Internal isolation

Monitoring Arrangements

The Headteacher will monitor suspensions and permanent exclusions at least termly and report to the governing board. The report will include patterns in repeat suspensions, the characteristics of children suspended or permanently excluded, the support and adjustments tried, and whether further action may reduce risk or improve outcomes.

The governing board will use this information to consider whether exclusions are being used appropriately and consistently, and whether the school's behaviour and support approaches are effective. It will also review, at appropriate intervals, any off-site placements or safeguarding separation arrangements to check that they remain necessary, that the child is benefiting from them and that the intended objectives are being met.

The school will liaise with the local authority to ensure suitable education is arranged when required. This policy will be reviewed by the Headteacher annually and approved by the governing board.

Policy updated to reflect the Department for Education's *Suspension and Permanent Exclusion from maintained schools, academies and pupil referral units in England, including pupil movement*, July 2026.

https://assets.publishing.service.gov.uk/media/6a63426d9a419980593b2b80/suspension-and-permanent-exclusion-from-maintained-schools-academies-and-pupil-referral-units-in-England-including-pupil-movement-effective-from-26-July-2026.pdf