Exclusion Policy 2026

This policy was adopted by Governors at the meeting held on :	Autumn 26
Signed (Academy CommitteeChair):	Clive Hyland
Date of Review:	Autumn 27

Ellingham Primary School recognises its moral and statutory responsibility to safeguard and promote the welfare of all children. We are committed to providing a safe, inclusive and nurturing environment where every child is respected, valued and supported to achieve their full potential. All staff understand their responsibilities in relation to safeguarding and child protection and follow statutory guidance to ensure children receive effective support and protection.

1. Statement of Intent

At Ellingham Primary School, we believe that every child has the right to learn in a safe, supportive and respectful environment. We are committed to maintaining high standards of behaviour and conduct which enable all pupils to thrive academically, socially and emotionally.

The school adopts an inclusive approach to behaviour management and seeks to understand and address the underlying causes of behaviour through early intervention, positive relationships, appropriate support and partnership with families.

Suspension and permanent exclusion are serious sanctions and will only be used where all reasonable alternatives have been considered or where the severity of an incident makes such action necessary. Decisions will always be lawful, reasonable, fair, proportionate and made in accordance with statutory guidance.

The school is committed to ensuring that pupils with Special Educational Needs and Disabilities (SEND), Social, Emotional and Mental Health (SEMH) needs, looked after children and other vulnerable groups receive appropriate support and reasonable adjustments before exclusion is considered.

This policy should be read alongside the school's:

- Behaviour Policy
- Safeguarding and Child Protection Policy
- SEND Policy
- Attendance Policy
- Anti-Bullying Policy
- Equality Information and Objectives

2. Legal Framework

This policy is based upon:

- Education Act 2002
- Education and Inspections Act 2006
- Equality Act 2010
- Human Rights Act 1998
- School Discipline (Pupil Exclusions and Reviews) (England) Regulations 2012
- SEND Code of Practice (2015)
- Suspension and Permanent Exclusion from Maintained Schools, Academies and Pupil Referral Units in England, including Pupil Movement (DfE, September 2023)

Registered address: Pele Trust c/o Ponteland High School, The Crescent, Callerton Lane, Ponteland, Newcastle-upon-Tyne NE20 9EG
A charitable company limited by guarantee registered in England and Wales (company number: 11395017).

PELE TRUST
Ellingham CE Primary School is part of Pele Trust.

- Behaviour in Schools (DfE)
- Keeping Children Safe in Education (current edition)

3. Principles Underpinning Decisions

All decisions relating to suspension or permanent exclusion will be:

Lawful - The school will act within relevant legislation and statutory guidance.

Reasonable - Decisions will be based on evidence and the specific circumstances of each case.

Fair - Pupils will be given an opportunity to explain events where appropriate and all available information will be considered.

Proportionate - The sanction imposed will reflect the seriousness of the behaviour and any relevant mitigating factors.

Non-Discriminatory - The school will fulfil its duties under the Equality Act 2010 and will not discriminate against pupils because of disability, race, sex, religion or belief, sexual orientation, gender reassignment, pregnancy or maternity.

4. Roles and Responsibilities

The Executive Headteacher

The Executive Headteacher is responsible for:

1. Maintaining high standards of behaviour throughout the school.
2. Ensuring behaviour systems are implemented consistently.
3. Making decisions regarding suspension and permanent exclusion.
4. Ensuring all decisions are lawful, proportionate and fair.
5. Taking account of safeguarding responsibilities.
6. Considering the impact of SEND, SEMH needs and other vulnerabilities.
7. Informing parents, governors and the Local Authority as required.
8. Ensuring suitable education is arranged during periods of exclusion where required.

Only the Executive Headteacher, or a designated Acting Headteacher is authorised to fulfil the duties of the Headteacher in their absence, may suspend or permanently exclude a pupil.

Governing Board

The Governing Board is responsible for:

- Reviewing exclusions in accordance with statutory requirements.
- Considering representations from parents.
- Ensuring exclusion procedures comply with legislation.
- Monitoring exclusion data and patterns.
- Ensuring exclusion practices do not disproportionately affect particular groups of pupils.

Local Authority

The Local Authority is responsible for carrying out statutory duties relating to exclusion reviews and arranging alternative provision where required by law.

Parents and Carers

Parents and carers are expected to:

- Work in partnership with the school to support positive behaviour.
- Attend meetings where appropriate.
- Ensure pupils are not present in public places during the first five days of any suspension unless there is reasonable justification.

5. Grounds for Suspension or Permanent Exclusion

- Suspension or permanent exclusion may be considered when a pupil:
- Seriously breaches the school's Behaviour Policy.
- Seriously harms, threatens or intimidates another pupil or member of staff.
- Commits physical assault against another pupil or adult.
- Engages in persistent and significant disruptive behaviour.
- Brings a weapon or prohibited item onto school premises.
- Engages in serious bullying, including cyberbullying.
- Engages in discriminatory behaviour or hate-related incidents.
- Engages in sexual harassment or sexual violence.
- Commits behaviour which significantly endangers the safety or welfare of others.
- Commits behaviour which would constitute a criminal offence.
- Repeatedly breaches behaviour expectations despite extensive support and intervention.
- Behaviour occurring off-site, including online activity, may result in suspension or permanent exclusion where it poses a threat to the safety, welfare or orderly running of the school.

The examples above are not exhaustive and each case will be considered on its individual merits.

6. Factors Considered Before Exclusion

Before making a decision, the Executive Headteacher will consider:

- The seriousness of the incident.
- The pupil's age and stage of development.
- Previous behaviour records.
- Whether the incident was provoked.
- Any safeguarding concerns.
- Any SEND or SEMH needs.
- The effectiveness of previous interventions.
- The impact on victims and the wider school community.
- The school's duties under the Equality Act 2010.

The standard of proof applied will be the civil standard, namely whether it is more likely than not that an event occurred.

The views of the pupil will be sought and considered where appropriate to their age, understanding and circumstances.

7. SEND, Inclusion and Vulnerable Pupils

Ellingham Primary School is committed to inclusive practice and recognises that some behaviour may be linked to unmet educational, social, emotional or mental health needs.

Before considering suspension or permanent exclusion, the school will, where appropriate:

- Consider reasonable adjustments.
- Review support plans and interventions.
- Consult with parents and carers.
- Seek advice from relevant professionals.

- Consider whether additional assessment is required.
- Review SEND support arrangements.
- Consider whether an Early Help Assessment is appropriate.

The existence of SEND does not prevent suspension or permanent exclusion where behaviour warrants such action. However, the school will ensure that all relevant duties under the Equality Act 2010 and SEND legislation have been fully considered before making a decision.
The school will pay particular regard to pupils who are:

- Identified as having SEND.
- Subject to an Education, Health and Care Plan.
- Looked After Children.
- Previously Looked After Children.
- Eligible for Free School Meals.
- Receiving support from external agencies.
- Known to children's social care.

Where a pupil has a social worker, or is looked after or previously looked after, the school will, where appropriate, consult with the social worker and/or Virtual School Head before making exclusion decisions.

8. Off Rolling and Unlawful Exclusions

Ellingham Primary School will not use informal or unofficial exclusions.
Pupils will never be sent home to "cool off" without a formal suspension being recorded.
The school will not pressure, encourage or influence parents to remove their child from the school roll as an alternative to suspension or permanent exclusion.
Any managed move or alternative placement will only take place with parental agreement and in accordance with statutory guidance.

9. Suspension Procedures

The Executive Headteacher may suspend a pupil for one or more fixed periods up to a maximum of 45 school days in any academic year.
Before making a decision, the Executive Headteacher will undertake a thorough investigation and consider all available evidence.

Parents will be informed without delay of:

- The reason for the suspension.
- The length of the suspension.
- Their right to make representations.
- Arrangements for the pupil's education during the suspension.
- Their legal duty to ensure that their child is not present in a public place during school hours during the first five school days of suspension without reasonable justification.

Written confirmation will be provided as soon as possible following the decision.
Work will be provided for the first five school days of suspension.
Where a suspension exceeds five school days, suitable full-time education will be arranged from the sixth school day.

10. Permanent Exclusion Procedures

Permanent exclusion is a serious sanction and will only be used:

- 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, welfare or safety of the pupil or others within the school community.

The decision to permanently exclude will only be taken by the Executive Headteacher following careful consideration of all relevant circumstances.
The school will ensure that:

- Evidence has been carefully considered.
- Safeguarding implications have been assessed.
- SEND duties have been fulfilled.
- Reasonable adjustments have been considered.
- Relevant support and intervention strategies have been reviewed.

Parents will be informed immediately of the decision and provided with written notification outlining their rights of representation and review.

11. Education During Suspension and Following Permanent Exclusion

The school recognises that all pupils have a right to education.
During the first five school days of a suspension, work will be provided and marked by school staff where appropriate.
Where a suspension exceeds five school days, or where a pupil has been permanently excluded, suitable full-time education will be arranged from the sixth school day in accordance with statutory requirements.
The school will work closely with the Local Authority, parents and any receiving provision to ensure continuity of education and support.
Where a pupil has an Education, Health and Care Plan, the school will work with the Local Authority and relevant professionals to ensure provision remains appropriate

12. Reintegration Following Suspension

The school believes that reintegration following a suspension is a vital part of supporting positive behaviour and preventing future incidents.
Following any suspension, the school may arrange a reintegration meeting involving:

- The pupil.
- Parents or carers.
- Relevant school staff.

The purpose of the meeting will be to:

- Reflect on the incident.
- Re-establish expectations.
- Identify any support required.
- Agree strategies for future success.
- Promote a positive return to learning.

Where appropriate, a reintegration support plan may be implemented.

13. Governing Board Responsibilities

The Governing Board will fulfil all statutory duties relating to suspensions and permanent exclusions.
The Governing Board will consider representations from parents in accordance with statutory timescales and guidance.
When reviewing decisions, governors will consider whether:

- The decision was lawful.
- The decision was reasonable.
- The decision was fair.
- The decision was proportionate.

Governors will consider the circumstances of the pupil alongside the interests of the wider school community. The Governing Board will convene meetings within statutory timescales and discharge its

duties in accordance with the School Discipline (Pupil Exclusions and Reviews) (England) Regulations 2012.
Clear records will be maintained of all meetings, evidence and decisions.

14. Independent Review Panels

Where the Governing Board upholds a permanent exclusion, parents have the right to request an Independent Review Panel.
The Independent Review Panel may:

- Uphold the Governing Board's decision.
- Recommend that the Governing Board reconsider the decision.
- Quash the decision and direct the Governing Board to reconsider the decision.

Where requested by parents, a SEND Expert may attend the review panel to provide impartial advice regarding the relevance of SEND to the exclusion.
The Local Authority will make arrangements for Independent Review Panels in accordance with statutory guidance.

15. Safeguarding Considerations

The school recognises that behaviour incidents and exclusions can sometimes indicate wider safeguarding concerns.
Where concerns arise, the school will consider:

- Child protection issues.
- Child-on-child abuse.
- Sexual harassment or sexual violence.
- Exploitation.
- Mental health needs.
- Family circumstances.
- Attendance concerns.

Appropriate safeguarding procedures will be followed in line with the school's Child Protection and Safeguarding Policy and Keeping Children Safe in Education.
Where necessary, referrals will be made to Children's Social Care or other external agencies.

16. Equality and Inclusion

The school is committed to ensuring that suspension and exclusion procedures are implemented fairly and consistently.
The school will monitor suspension and exclusion data to identify any disproportionate impact on groups including:

- Pupils with SEND.
- Pupils with SEMH needs.
- Looked After and Previously Looked After Children.
- Pupils eligible for Free School Meals.
- Pupils from different ethnic backgrounds.
- Other vulnerable groups.

The school will use this information to review practice and strengthen inclusive provision.

17. Monitoring and Review

The Executive Headteacher will report suspension and exclusion information to the Governing Board on a regular basis.
The Governing Board will monitor:

- Number of suspensions.
- Number of permanent exclusions.
- Patterns and trends.

- Equality implications.
- Effectiveness of behaviour support systems.

This policy will be reviewed annually or sooner if legislation or statutory guidance changes.

Appendix A – Exclusion Decision-Making Checklist

Before deciding to suspend or permanently exclude a pupil, the Executive Headteacher should consider:

✓ Is there sufficient evidence?
✓ Has a full investigation taken place?
✓ Has the pupil had an opportunity to explain events where appropriate?
✓ Have safeguarding concerns been considered?
✓ Have SEND and Equality Act duties been considered?
✓ Have reasonable adjustments been made where appropriate?
✓ Have previous interventions been reviewed?
✓ Is the proposed sanction proportionate?
✓ Would a reasonable person consider the decision fair?
✓ Is exclusion necessary to protect the education, welfare or safety of others?

Appendix B – Reintegration Meeting Checklist

Discussion should include:

✓ Reflection on the incident.
✓ Review of school expectations.
✓ Identification of support needs.
✓ Strategies for future success.
✓ Attendance and wellbeing.
✓ Communication arrangements with parents.
✓ Review date if required.

Appendix C – Unlawful Exclusions

The following practices are unlawful and will not be used by Ellingham Primary School:

• Sending a pupil home without formally recording a suspension.
• Informal or unofficial exclusions.
• Pressuring parents to keep a child at home.
• Encouraging parents to remove a child from roll to avoid exclusion.
• Reducing timetables without following statutory guidance and Local Authority procedures.

The school is committed to ensuring that all exclusion decisions are transparent, lawful and in the best interests of pupils and the wider school community.

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