Exclusion Policy

Meadowfield

To inspire and motivate all pupils and staff who learn and work together to aspire to endless possibilities.

Exclusions Policy (Incorporating August 2024 DfE Guidance)

1: Introduction, Rationale, and Legal Duties

Exclusion as a Sanction A decision to exclude a pupil, either for a **fixed period (known as a suspension)** or **permanently**, is viewed as a sanction used only as a **last resort**. The use of suspensions and permanent exclusions is sometimes necessary to ensure that other pupils and teaching staff can work in safety and are respected.

Exclusion may be justified if there is a **serious breach or persistent breaches of the school's Behaviour Policy** or 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. This Document is based on the DFE Guidance: Suspension and permanent exclusion from maintained schools, academies and pupil referral units in England, including pupil movement Guidance for maintained schools, academies, and pupil referral units in England August 2024

Reasons for Exclusion

Reasons for exclusion generally relate to:

- Serious breach of the school's rules or policies.
- Risk of harm to the education or welfare of the pupil or others in the school.

The school recognises the DfE's guidance and fully accepts that permanent exclusion is both a serious decision and, on occasions, a necessary decision.

We accept that, due to their complex needs, not all students will be successful at Meadowfield school. The Principal may decide to permanently exclude a pupil in response to a serious breach (one off), or persistent breaches, of the School's Behaviour Policy; and allowing the student to remain in the school would seriously harm the education or welfare of said pupils or others.

Examples of circumstances that may warrant suspension or permanent exclusion include:

- Carrying an offensive weapon.
- Supplying an illegal drug.
- Actual or threatened assaults on students.
- Actual or threatened assaults on School staff.
- Actual or threatened sexual abuse or sexual assault on any member of the school community.
- Persistent and defiant intentional mis-behaviour (including bullying and racism).
- Arson.
- Theft.

This is not an exhaustive list.

The School will ensure that the student has an opportunity to present his/her case before a final decision is taken. Where relevant, the pupil should be given support to express their view, including through advocates such as parents or social worker. This might not always be practicable as identified in DfE guidance. The Principal will also take account of any mitigating factors.

Who Can Exclude Only the **Principal** can **suspend** or **permanently exclude** a pupil from school on disciplinary grounds.

Legal Duties Regarding Pupils with Special Educational Needs (SEN) All pupils attending Meadowfield School have an Education, Health and Care Plan (EHC Plan). Schools have a legal

duty under the Equality Act 2010 not to discriminate against disabled pupils. This includes a duty to make **reasonable adjustments** to any provision, criterion or practice which puts them at a substantial disadvantage. The Governing Board must use their 'best endeavours' to ensure appropriate special educational provision is made for pupils with SEN.

2: Unlawful Exclusions and Off-Rolling

Unlawful Exclusions Any exclusion of a pupil, even for short periods, must be **formally recorded**. An **informal or unofficial exclusion, such as sending a pupil home 'to cool off', is unlawful** when it does not follow the formal school exclusion process, even if it occurs with parental agreement.

It is unlawful to exclude a pupil simply because they have **SEN or a disability** that the school feels it is unable to meet. It is also unlawful to exclude a pupil for failure to meet specific conditions before they are reinstated, such as attending a reintegration meeting.

Off-Rolling Telling or forcing a pupil to leave school, or not allowing them to attend school on disciplinary grounds, is a suspension (if temporary) or permanent exclusion (if permanent).

Off-rolling includes removing a pupil's name from the school admission register without a formal permanent exclusion or exercising **undue influence over a parent** to remove their child under the threat of permanent exclusion (e.g., encouraging Elective Home Education). Ofsted is likely to judge a school as inadequate if there is evidence of off-rolling.

3: Preventative Strategies

Meadowfield School uses preventative strategies including staffing changes, training, meeting with parents, and initiating Behaviour Support Plans. Preventative measures to exclusion include the use of Managed Moves and Off-site Direction.

Pastoral Support Programme (PSP) The PSP is a school-based, time-limited intervention. It is designed to support young people at risk of permanent exclusion or disaffection through repeated suspensions. It involves a multi-agency meeting focused on the pupil's needs, and results in an outcome-driven plan with targets for the pupil, school, family, and other agencies.

Managed Moves A **Managed Move** is a voluntary process used to initiate a pupil's **permanent transfer** to another mainstream school.

- Managed moves should only occur when it is in the pupil's best interests and must be agreed upon by all parties, including parents and the admission authority of the new school.
- The original school must be able to evidence that appropriate initial intervention (including multi-agency support where relevant) has been carried out prior to the move.
- The move should be preceded by information sharing (data on attainment, academic potential, and risk assessment) between the original and new school.

Off-site Direction This is a measure where the governing board requires a pupil to attend another education setting (such as Alternative Provision/AP) temporarily to improve their behaviour.

- Off-site direction must only be used to improve future behaviour and **not as a sanction or punishment** for past misconduct.
- The governing body must keep the length of time a pupil spends off-site under review.
- The Governing Body must notify parents (and the LA if the pupil has an EHC plan) in writing about the placement, providing information as soon as practicable, and no later than two school days before the relevant day.

4: Early Support for Vulnerable Pupils

Pupils with a Social Worker (Including Looked-After Children) If a pupil has a social worker (e.g., subject to a Child in Need or Child Protection Plan), and they are at **risk of suspension or permanent exclusion**, the Principal should be informed to make a decision and the Principal's designated officer should inform their **social worker**, the **Designated Safeguarding Lead (DSL)**, and the pupil's parents as **early as possible** to involve them in relevant conversations. Discussion will be had as to what strategies have been tried and what further strategies might be implemented to avoid suspension or exclusion.

For a **Looked-After Child (LAC)**, the **Designated Teacher (DT)** should contact the local authority's **Virtual School Head (VSH)** as soon as possible if the child is likely to be subject to exclusion. The VSH, DT, and others should consider what additional assessment and support may be needed to address the factors affecting the child's behaviour and reduce the need for exclusion.

Any concerns about the pupil's behaviour should be recorded in the child's **Personal Education Plan (PEP)**, which must be reviewed every term.

5: Suspension and Permanent Exclusion Process

Suspension (Fixed Period Exclusion) A pupil may be suspended for one or more fixed periods, up to a maximum of **45 school days in a single academic year**. The duration of a suspension does not have to be continuous. Where suspensions are becoming a regular occurrence, the school will consider whether suspension alone is effective and whether additional strategies are needed.

A suspension can be for parts of the school day, such as lunchtime, which is counted as half a school day for governing board meeting purposes. The law does not allow for extending a suspension or 'converting' a suspension into a permanent exclusion.

Permanent Exclusion A **Permanent exclusion** is when a pupil is no longer allowed to attend a school (unless reinstated). It is only taken as a final step when a wide range of other strategies have been tried and failed.

There may be **exceptional circumstances** where it is appropriate to permanently exclude a child for a first or 'one off' offence, such as: serious actual or threatened violence against another pupil or a member of staff; sexual abuse or assault; supplying an illegal drug; or carrying an offensive weapon. The Principal need not postpone the decision solely because a police investigation is underway.

6: Education and Cancellation

Cancelling Exclusions The Principal can **cancel any exclusion** (one that has begun or one that has not yet begun) provided the governing board has not yet met to consider reinstatement. Where an exclusion is cancelled:

- The Principal must notify the parents, the **governing board**, the Local Authority (LA) and the pupil's **social worker** and **VSH** (as applicable) **without delay**, providing the reason for the cancellation.
- The pupil must be allowed back into the school without delay.
- Any days spent out of school as a result of the exclusion prior to cancellation will count towards the maximum 45 school days permitted in any school year.

Education Provision: Days 1 to 5 During the initial period of up to five school days of a suspension or permanent exclusion, the school must ensure that **work is set and marked for the pupil**. Online pathways such as Google Classroom or Oak National Academy can be used.

If the pupil is of compulsory school age, the Principal must notify the parents of the days on which they must ensure the pupil is **not present in a public place** at any time during school hours. These days are the first five school days, or until alternative provision begins, whichever is earlier.

Education Provision: From Day 6 For a **suspension** of more than five school days, the **governing board** must arrange suitable full-time education (**Alternative Provision/AP**) starting no later than the **sixth school day** of the suspension. Consecutive suspensions are regarded as cumulative for the purpose of this duty.

For **permanent exclusions**, the **local authority** (or the pupil's 'home authority' if the pupil lives elsewhere) must arrange suitable full-time education (AP) for the pupil to begin from the **sixth school day** after the first day of the permanent exclusion. Provision does not have to be arranged for a pupil in the final year of compulsory education who does not have any further public examinations to sit.

In the case of a looked-after child or a child with a social worker, the school and LA should work together to arrange AP from the first day following the exclusion.

7: Principal Duties: Notification

Whenever a Principal suspends or permanently excludes a pupil they or their designated officer **must, without delay,** notify the relevant parties.

Parents must be notified of the period and reason(s) for the exclusion without delay, initially by phone or in person, followed by written notification. Written notification must detail:

- The reason(s) and period of the exclusion.
- Parents' right to make representations to the governing board.
- Parents' right to request that the governing board meeting be held via the use of **remote access** (e.g., live video link).
- Details of the days on which the pupil must not be in a public place.
- Details of any alternative provision, if ascertainable.
- Relevant sources of free and impartial advice (including SENDIAS and Coram's Child Law Advice).

Social Workers and VSHs must be informed without delay, after their decision. Notify the **social worker** (if the pupil has one) and the **Virtual School Head (VSH)** (if the pupil is a looked-after child) of the period of the exclusion and the reason(s) for it.

Governing Board and Local Authority must be informed, without delay, notify the **governing board** of:

- Any **permanent exclusion**.
- Any exclusion which results in the pupil being excluded for a total of more than five school days (or more than ten lunchtimes) in a term.
- Any exclusion resulting in the pupil missing a public examination or national curriculum test.

The **Local Authority (LA) must be informed without delay of all school exclusions regardless of the length of the exclusion**. For permanent exclusions, the pupil's 'home authority' must also be notified if the pupil lives outside the school's LA area.

Whist only the Principal can authorise an exclusion, with the Principal's permission, a designated officer can undertake the notification requirements stated above in Point 7.

8: Governing Board Duties: Consideration and Oversight

Reintegration Following a return from a suspension or cancelled exclusion, a reintegration strategy should be designed to offer the pupil a fresh start. The strategy should be clearly communicated at a **reintegration meeting** with all involved before or at the beginning of the pupil's return. A pupil should **not be prevented from returning** if parents are unable or unwilling to attend a reintegration meeting.

Governing Board Duty to Consider Reinstatement The Governing board has a duty to consider parents' representations about a suspension or permanent exclusion. The board must consider and decide on reinstatement within **15 school days** of receiving notice of an exclusion if:

- It is a **permanent exclusion**.
- It is a **suspension** which would bring the pupil's total time out of school to **more than 15 school days in a term**.
- It would result in the pupil missing a public examination or national curriculum test.

For a suspension that results in the pupil missing **more than five but not more than 15 school days** in a term, the governing board must meet within 50 school days **only if the parents make representations**.

Parties must be invited to a meeting where legally required, including parents, the Principal, a representative of the LA, the pupil's social worker, and the VSH (if LAC).

Governing Board Use of Data The governing board must review data to ensure accountability. This includes reviewing data to consider:

- The **level of pupil moves** and the **characteristics of pupils** who are permanently excluded or taken off roll.
- Instances where pupils receive **repeat suspensions**.
- Any **variations in the rolling average** of permanent exclusions.
- Whether the placements of pupils directed off-site into Alternative Provision (AP) are reviewed at sufficient intervals.

9: Appeal: Independent Review Panel (IRP)

If a pupil is **permanently excluded** and the governing board decides against reinstatement, parents have the right to request a review by an **Independent Review Panel (IRP)**.

- An application for an IRP must be made within **15 school days** of the governing board's decision.
- The IRP must begin within **15 school days** of the day the parent's application was made.
- Parents have the right to request that the IRP is held via the use of **remote access** (live video link), provided it can be held fairly and transparently.
- Parents have the right to require the LA/academy trust to appoint a **Special Educational Needs (SEN) expert** to advise the review panel, regardless of whether the pupil has recognised SEN.
- The IRP can decide to uphold the governing board's decision, recommend reconsideration, or **quash** the governing board's decision and **direct reconsideration**. The panel may only quash a decision if it was flawed based on principles applicable to judicial review (illegality, irrationality, procedural impropriety).

- If the panel **directs reconsideration**, it may order a financial adjustment of **£4,000** to the school's budget unless the governing board decides to reinstate the pupil within ten school days.

10: Removal from Register and Financial Adjustment

Removal from the School Admission Register The governing board must ensure that a permanently excluded pupil's name is removed from the school admission register only if:

- **15 school days have passed** since the parents were notified of the governing board's decision not to reinstate the pupil, and **no application has been made for an IRP**; or
- The parents have stated in writing that they will not be applying for an IRP.

If an application for an IRP has been made, the school must wait until the review is determined or abandoned, and until the governing board has completed any required reconsideration, before removing the name. The school **cannot backdate** the deletion of the pupil's name to the date the exclusion began.

Financial Adjustment If an IRP directs a governing board (or academy trust) to reconsider reinstatement and the board does not decide to reinstate the pupil within ten school days, a financial adjustment of **£4,000** may be made to the school's budget or paid by the academy trust to the local authority. This is in addition to the standard funding that follows a permanently excluded pupil. The financial readjustment must be made within 28 days of notification of a direction from the panel.

Statutory Policy Approved by Governing Board

Policy Adopted	Date: September 2025
Policy Approved	Date: March 2026
Next Review	Date: Academic Year 2026/27