

Court Schools Suspension and Permanent Exclusion Policy

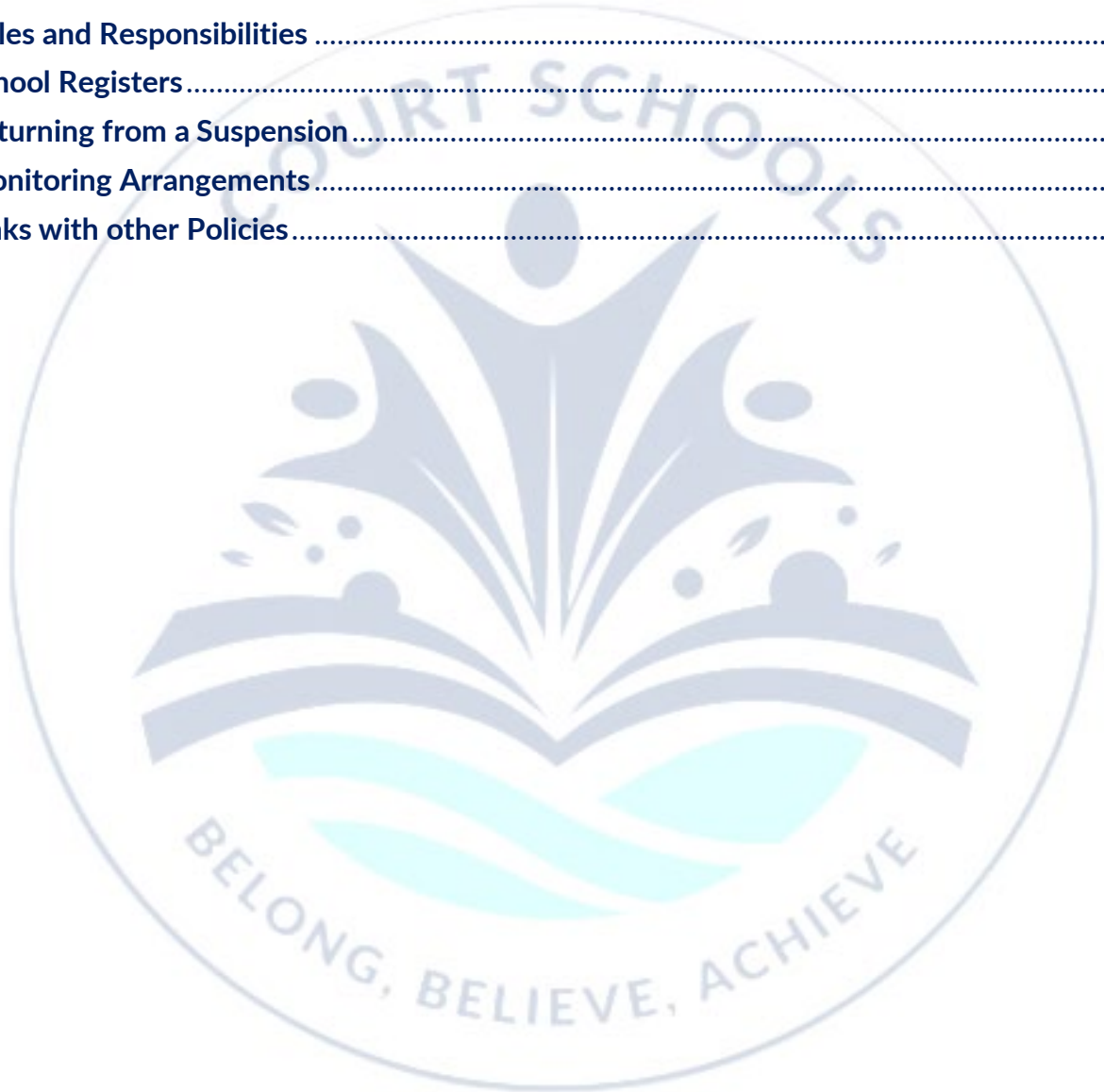


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Court Schools Suspension and Permanent Exclusion Policy

Contents

1. Aims	3
2. Legislation and Statutory Guidance	4
3. Definitions.....	4
4. Roles and Responsibilities	5
5. School Registers	13
6. Returning from a Suspension	13
7. Monitoring Arrangements	14
8. Links with other Policies	14



Court Schools Suspension and Permanent Exclusion Policy

1. Aims

We are committed to following all statutory exclusions procedures to make sure that every learner receives an education in a safe and caring environment.

Our school aims to:

- Make sure that the exclusions process is applied fairly and consistently
- Help governors, staff, parents/carers and learners understand the exclusions process
- Make sure that learners in school are safe and happy
- Prevent pupils from becoming NEET (not in education, employment or training)
- Make sure all suspensions and permanent exclusions are carried out lawfully

A note on off-rolling

'Off-rolling' is a form of gaming and occurs where a school decides, in the interests of the school and not the learner, to:

- Remove a learner from the school admission register without a formal, permanent exclusion, or
- Encourage a parent/carer to remove their child from the school, or
- Encourage a sixth-form learner not to continue with their course of study, or
- Retain a learner on the school admission register but not allow them to attend the school normally, without a formal permanent exclusion or suspension
- Move a learner to alternative provision (AP) where this is not in their best interests, or
- Send a learner home without formally recording a suspension regardless of whether it occurs with the agreement of parents/carers, or
- Place a learner on a part-time timetable for behavioural reasons
- Remove a learner from the school roll without following due process

Accordingly, we will not suspend or exclude a learner unlawfully by telling or forcing them to leave, encouraging their parent(s)/carer(s) to remove them from the school, or not allowing them to attend school without following the statutory procedure contained in the School Discipline (Pupil Exclusions and Reviews) (England) Regulations 2012, or formally recording the event.

Any suspension or exclusion will be made on disciplinary grounds, and will not be made:

- Because a learner has special educational needs and/or a disability (SEND) that the school feels unable to support, or
- Due to a learner's poor academic performance, or

Court Schools Suspension and Permanent Exclusion Policy

➤ Because the learner hasn't met a specific condition, such as attending a reintegration meeting

If any learner is suspended or excluded on the above grounds, this will also be considered as 'off-rolling'.

2. Legislation and Statutory Guidance

This policy is based on statutory guidance from the Department for Education (DfE): Suspension and permanent exclusion from maintained schools, academies and pupil referral units in England, including learner movement.

It is based on the following legislation, which outlines schools' powers to exclude learners:

- Section 51a of the Education Act 2002, as amended by the Education Act 2011
- The School Discipline (Pupil Exclusions and Reviews) (England) Regulations 2012
- In addition, the policy is based on:
- Part 7, chapter 2 of the Education and Inspections Act 2006, which sets out parental responsibility for excluded pupils
- Section 579 of the Education Act 1996, which defines 'school day'
- 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
- The Equality Act 2010
- Children and Families Act 2014
- The School Inspection Handbook, which defines 'off-rolling'

This policy complies with our funding agreement.

3. Definitions

Suspension – when a learner is removed from the school for a fixed period. This was previously referred to as a 'fixed-term exclusion'.

Permanent exclusion – when a learner is removed from the school permanently and taken off the school admission register. This is sometimes referred to as an 'exclusion'.

Off-site direction – when a governing board of a maintained school requires a learner to attend another education setting temporarily, to improve their behaviour.

Parent/carer – any person who has parental responsibility and any person who has care of the learner.

Cancelled exclusion – an exclusion that has been cancelled before the governing board has met to consider whether the pupil should be reinstated.

Court Schools Suspension and Permanent Exclusion Policy

4. Roles and Responsibilities

4.1 The Headteacher

Deciding whether to suspend or exclude

Only the headteacher, or acting headteacher, can suspend or permanently exclude a learner from school on disciplinary grounds. The decision can be made in respect of behaviour inside or outside of school. The headteacher will only use permanent exclusion as a last resort.

A decision to suspend a learner will be taken only:

- In accordance with the school's behaviour policy
- To provide a clear signal of what is unacceptable behaviour
- To show a learner that their current behaviour is putting them at risk of permanent exclusion

Where suspensions have become a regular occurrence, the headteacher will consider whether suspensions alone are an effective sanction and whether additional strategies need to be put in place to address behaviour issues.

A decision to exclude a learner will be taken only:

- In response to serious or persistent breaches of the school's behaviour policy, **and**
- If allowing the learner to remain in school would seriously harm the education or welfare of others

Before deciding whether to suspend or exclude a learner, the headteacher will:

- Consider all the relevant facts and evidence on the balance of probabilities, including whether the incident(s) leading to the exclusion was/were provoked
- Allow the pupil to give their version of events considering these in light of their age and understanding, unless it would not be appropriate to do so
- Consider a learner's special educational needs (SEN)
- Consider whether the pupil is especially vulnerable (e.g. the pupil has a social worker, or is a looked-after child (LAC))
- Consider whether all alternative solutions have been explored, such as:
 - For suspensions: detentions or other sanctions provided for in the behaviour policy
 - For exclusions: off-site direction or giving notice

When considering off-site direction, the school complies with the Education (Educational Provision for Improving Behaviour) (Application to Academies and Pupil Referral Units and Minor Amendments) Regulations 2026, and has regard to the Arranging alternative provision: a guide for local authorities and schools.

Court Schools Suspension and Permanent Exclusion Policy

Before directing a learner off-site or giving notice, the school will:

- Ensure the learner's views are sought and considered
- Be able to evidence that appropriate interventions have already been implemented
- Share relevant information with the receiving setting and the local authority (LA), including attainment data, risk assessments and support strategies

The headteacher will consider the views of the learner, in light of their age and understanding, before deciding to suspend or exclude, unless it would not be appropriate to do so.

Learners who need support to express their views will be allowed to have their views expressed through an advocate, such as a parent/carer or social worker.

The headteacher will not reach their decision until they have heard from the learner, and will inform the learner, if appropriate, of how their views were taken into account when making the decision.

Where there are concerns about the behaviour, or risk of suspension or permanent exclusion, of a pupil with SEN, a disability or an education, health and care (EHC) plan, the school will, in partnership with the Local Authority, consider what additional support or alternative placement may be required. This will involve assessing the suitability of provision for the learner's SEN or disability.

The school will contact the Local Authority about any behavioural concerns at an early stage and consider requesting an early annual review prior to making the decision to suspend or permanently exclude the learner.

If there is an ongoing safeguarding investigation (whether that includes a criminal investigation or not) that may result in the permanent exclusion of a learner, or if a learner has been reinstated to the school, it is likely that complex and difficult decisions will need to be made. These decisions will be made alongside the school's safeguarding duties and its duty to provide an education.

Deciding whether to Temporarily Remove a Learner from the School Site for Safeguarding Reasons

In exceptional circumstances, the headteacher may decide to temporarily prevent a learner from attending the school site for safeguarding reasons. This is not an exclusion on disciplinary grounds.

This measure will only be used when:

- It is necessary to separate learners to ensure safety, and
- There is no reasonable alternative that would allow all learners to remain on site

Court Schools Suspension and Permanent Exclusion Policy

Decisions will be made on a case-by-case basis, led by the designated safeguarding lead (DSL) and informed by multi-agency working where appropriate (e.g children's social care or the police).

Where this measure is used, the school will:

- Inform parents/carers without delay, including the reasons for the decision
- Notify the CEO without delay
- Provide work for the learner to complete at home, or work with the Local Authority to ensure suitable education is arranged
- Support the learner's reintegration, as soon as it is safe to do so

Informing Parents/Carers (or the Learner where they are 18 or older)

If a learner is at risk of suspension or exclusion, the headteacher will inform the parents/carers/learner as early as possible, in order to work together to consider what factors may be affecting the learner's behaviour, and what further support can be put in place to improve the behaviour.

If the headteacher decides to suspend or exclude a learner, the parents/carers/learner will be informed, in person or by telephone, of the period of the suspension or exclusion and the reason(s) for it, without delay.

The parents/carers/ learner will also be provided with the following information in writing, without delay:

- The reason(s) for the suspension or permanent exclusion
- The length of the suspension or, for a permanent exclusion, the fact that it is permanent
- Information about the parents'/carers'/learner's right to make representations about the suspension or permanent exclusion to the governing board and, where the pupil is attending alongside parents/carers, how they may be involved in this
- How any representations should be made
- Where there is a legal requirement for the CEO to hold a meeting to consider the reinstatement of a learner, and that parents/carers/ the learner have a right to attend the meeting, be represented at the meeting (at their own expense) and bring a friend
- That parents/carers/the learner have the right to request that the meetings be held remotely, and how and to whom they should make this request

If the learner is of compulsory school age, the headteacher will also notify parents/carers without delay and by the end of the afternoon session on the first day their learner is suspended or permanently excluded, that:

Court Schools Suspension and Permanent Exclusion Policy

- For the first 5 school days of the suspension or exclusion (or until the start date of any alternative provision or the end of the suspension, where this is earlier), the parents/carers are legally required to ensure that their child is not present in a public place during school hours without a good reason. This will include specifying on which days this duty applies
- Parents/carers 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, if possible:
 - The start date for any provision of full-time education that has been arranged
 - 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
 - Any information the learner needs in order to identify the person they should report to on the first day
 - The duration of the placement
 - The reasons for, and objectives of, the placement

If the headteacher does not have all the information about the alternative provision arrangements by the end of the afternoon session on the first day of the suspension or permanent exclusion, they can provide the information at a later date, without delay and 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 school reserves the right to provide the information with less than 48 hours' notice, with parents'/carers' consent.

If the headteacher cancels the suspension or permanent exclusion, they will notify the parents/carers/ learner without delay, and provide a reason for the cancellation.

Informing the CEO

The headteacher will, without delay, notify the CEO of:

- Any permanent exclusion, including when a suspension is followed by a decision to permanently exclude a learner
- Any suspension or permanent exclusion that would result in the learner being suspended or permanently excluded for a total of more than 5 school days (or more than 10 lunchtimes) in a term
- Any suspension or permanent exclusion that would result in the learner missing a National Curriculum test or public exam

Court Schools Suspension and Permanent Exclusion Policy

- Any suspension or permanent exclusion that has been cancelled, including the reason for the cancellation

Informing the Local Authority (LA)

The headteacher will notify the LA of all suspensions and permanent exclusions without delay, regardless of the length of a suspension.

The notification 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

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

The headteacher must notify the LA without delay of any cancelled exclusions, including the reason the exclusion was cancelled.

Informing the Learner's Social Worker and/or Virtual School Head (VSH)

If a:

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

This is so they can work together to consider what factors may be affecting the learner's behaviour, and what further support can be put in place to improve the behaviour.

Where a looked-after child is at risk of suspension or permanent exclusion, the school will consider:

- How effectively the current personal education plan (PEP) is being implemented, and
- Whether an interim review of the PEP needs to take place
- How the school is using Pupil Premium Plus
-

If the headteacher decides to suspend or permanently exclude a pupil with a social worker/a learner who is looked after, they will inform the learner's social worker/the VSH, as appropriate, without delay, that:

- They have decided to suspend or permanently exclude the pupil

Court Schools Suspension and Permanent Exclusion Policy

- The reason(s) for the decision
- The length of the suspension or, for a permanent exclusion, the fact that it is permanent
- The suspension or permanent exclusion affects the pupil's ability to sit a National Curriculum test or public exam (where relevant)
- They have decided to cancel a suspension or permanent exclusion, and why (where relevant)

The social worker/VSH will be invited to any meeting of the leadership team about the suspension or permanent exclusion. This is so they can provide advice on how the learner's background and/or circumstances may have influenced the circumstances of their suspension or permanent exclusion. The social worker should also help ensure safeguarding needs and risks, and the learner's welfare are taken into account.

Cancelling Suspensions and Permanent Exclusions

The headteacher may cancel a suspension or permanent exclusion that has already begun, or one that has not yet begun, but only where it has not yet been reviewed by the CEO. Where there is a cancellation:

- The parents/carers (or the learner if they are 18 or older), CEO and LA will be notified without delay
- Where relevant, any social worker and VSH will be notified without delay
- The notification must provide the reason for the cancellation
- The CEO's duty to hold a meeting and consider reinstatement ceases
- Parents/carers (or the pupil if they are 18 or older) will be offered the opportunity to meet with the headteacher to discuss the cancellation, which will be arranged without delay
- The learner will be allowed back in school 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 learner 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.

Providing Education during the first 5 days of a Suspension or Exclusion

If the learner is not attending alternative (AP) provision, the headteacher will take steps to ensure that achievable and accessible work is set and marked for the learner. Our Online

Court Schools Suspension and Permanent Exclusion Policy

curriculum may be used for this. The headteacher will make sure that reasonable adjustments are made to the provision where necessary.

If the learner is looked after or if they have a social worker, the school will work with the LA to arrange AP from the first day following the suspension or permanent exclusion. Where this isn't possible, the school will take reasonable steps to set and mark work for the learner, including the use of online pathways.

4.2 The Proprietors, CEO & Governing Body

Considering Suspensions and Permanent Exclusions

The CEO may consider parents'/carers'/the learner's (if they are 18 or older) representations about a suspension or permanent exclusion. They will consider the reinstatement of a suspended or permanently excluded learner in certain circumstances.

Within 14 days of receiving a request, the CEO will provide the secretary of state with information about any suspensions or exclusions within the last 12 months.

For any suspension of more than 5 school days, the Leadership Team will arrange suitable full-time education for the pupil. This provision will begin no later than the sixth day of the suspension.

The Leadership Team does not have to arrange such provision for learners in their final year of compulsory education who do not have any further public exams to sit.

Monitoring and Analysing Suspensions and Exclusions Data

The governing body will review, challenge and evaluate the data on the school's use of suspension, exclusion and off-site direction to alternative provision.

The governing body will consider:

- Closely scrutinise patterns of all learner movement, including suspensions, permanent exclusions and off-site direction.
- Ensure these measures are only used as a last resort
- Review any use of separation from site for safeguarding purposes
- Challenge the school's leadership team to identify and address emerging trends
- How effectively and consistently the school's behaviour policy is being implemented
- The school register and absence codes
- Instances where learners receive repeat suspensions
- Interventions in place to support learners at risk of suspension or permanent exclusion
- Any variations in the rolling average of permanent exclusions, to understand why this is happening, and to make sure they are only used when necessary

Court Schools Suspension and Permanent Exclusion Policy

- The timing of moves and permanent exclusions, and whether there are any patterns, including any indications that may highlight where policies or support are not working
- The characteristics of suspended and permanently excluded pupils, and whether learners who share any particular characteristic are suspended or permanently excluded more than others
- Whether the placements of learners directed off-site into alternative provision are reviewed at sufficient intervals to assure the school that the education is achieving its objectives and that learners are benefiting from it
- Whether the placements of pupils directed off-site into alternative provision are reviewed at sufficient intervals to assure the school that the education is achieving its objectives and that pupils are benefiting from it

Performance data and benchmarking:

Governors will hold leaders to account and make informed decisions. To enable them to do so, they'll make use of performance data in the following areas:

- Pupil numbers, attendance and exclusions
- Attainment and progress
- Curriculum planning and class sizes
- Quality assurance
- Safeguarding and wellbeing
- The school community, including staff, pupils, parents/carers and the governing board

4.3 The Local Authority (LA)

For permanent exclusions, the school in liaison will arrange suitable full-time education to begin no later than the sixth school day after the first day of the exclusion. The school will work with the local authority to support the learner during the notice period.

For learners who are looked after or have social workers, the LA and the school will work together to arrange suitable full-time education to begin from the first day of the exclusion.

Court Schools Suspension and Permanent Exclusion Policy

5. School Registers

A learner's name will be removed from the school admission register after the agreed notice period, the period of notice agreed with the LA; usually a period of 6 weeks.

While the learner's name remains on the school's admission register, the learner's attendance will still be recorded appropriately. Where alternative provision (of an approved educational activity that does not involve the learner being registered at any other school) has been made for an excluded learner and they attend it, code B (education off-site) will be used on the attendance register. During off-site direction to another school or educational establishment, code D (dual registration) will be used.

Where excluded learners are not attending alternative provision, code E (absent) will be used.

Making a return to the LA

Where a learner's name is to be removed from the school admissions register because of a permanent exclusion, the school will make a return to the LA. This will be with the Learner's SEND caseworker and placement liaison officer. This will include the alternative provision being provided during the notice period. Where possible the selection of alternative provision will be done in liaison with the caseworker so that there is a smoother transition after the notice period has ended.

6. Returning from a Suspension

6.1 Reintegration strategy

Following suspension, cancelled suspension or exclusion, the school will put in place a strategy to help the learner reintegrate successfully into school life and full-time education.

Where necessary, the school will work with third-party organisations to identify whether the learner has any unmet special educational and/or health needs.

School will maintain regular contact during the suspension and welcome the learner back into school.

Part-time timetables will not be used as a tool to manage behaviour and, if used, will be put in place for the minimum time necessary.

The strategy will be regularly reviewed and adapted where necessary throughout the reintegration process in collaboration with the learner, parents/carers and other relevant parties.

6.2 Reintegration Meetings

The school will clearly explain the reintegration strategy to the learner in a reintegration meeting before or on the learner's return to school. During the meeting the school will

Court Schools Suspension and Permanent Exclusion Policy

communicate to the learner that they are getting a fresh start and that they are a valued member of the school community.

The learner, parents/carers, a member of senior staff, and any other relevant staff will be invited to attend the meeting.

The meeting can proceed without the parents/carers in the event that they cannot or do not attend.

The school expects all returning learners and their parents/carers to attend their reintegration meeting, but learners who do not attend will not be prevented from returning to the classroom.

Reintegration meetings can be completed remotely.

7. Monitoring Arrangements

The school will collect data on the following:

- Attendance, permanent exclusions and suspensions
- Use of pupil referral units (PRUs), off-site directions and managed moves
- Anonymous surveys of staff, pupils, governors and other stakeholders on their perceptions and experiences

The data will be analysed every term by the deputy headteacher. The deputy headteacher will report back to the headteacher.

The data will be analysed from a variety of perspectives including:

- At school level
- By age group
- By time of day/week/term
- By protected characteristic

The school will use the results of this analysis to make sure it is meeting its duties under the Equality Act 2010. If any patterns or disparities between groups of pupils are identified by this analysis, the school will review its policies in order to tackle it.

This policy will be reviewed by the CEO every 2 years. At every review, the policy will be shared with stakeholders.

8. Links with other Policies

This policy is linked to our:

- Behaviour policy

Court Schools Suspension and Permanent Exclusion Policy

- SEN information report

