



Dowdales School
A proud, thriving, ambitious community

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SUSPENSION AND PERMANENT EXCLUSION POLICY

This Policy must be read in conjunction with the School's Behaviour Management Policy and procedures.

2025-26



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1. Introduction

Dowdales School is an inclusive school which aims to promote equality in all aspects of school life. We take a positive approach to encouraging good behaviour but also recognise that good discipline in our school is essential to ensure all students can benefit from the educational opportunities we provide.

The Government supports Head teachers in using suspension/permanent exclusion from school as a sanction where it is warranted. We recognise it is our responsibility as a school to communicate to students, staff, and parents/carers our behaviour expectations and the responsibility of all individuals working with students to ensure that no suspension/permanent exclusion will be initiated without first exploring other strategies or in the case of a serious incident, a thorough investigation. We have a range of policies and procedures in place to promote good behaviour and appropriate conduct, we take steps to access local support services like Furness Inclusion team, Inclusion Support Officers and Early Help Services, and we strive to foster good parental/carer engagement.

Whilst suspension may be an appropriate sanction, our Head teacher will investigate whether any contributing factors may have led to the incident/s of poor behaviour e.g. bereavement, mental health issues or bullying. For more information about the strategies we use and resources available to help us manage behaviour, please see our Behaviour Management Policy and procedures.

As a school we discharge our legal obligation to parents/carers by recognising that obligations are to the 'relevant person'. Where practicable, all those with parental responsibilities will be involved in the process

This policy sets out our normal arrangements and procedures that must follow a decision to exclude on disciplinary grounds and is in line with the 2022 statutory guidance '[Suspension and permanent exclusion from maintained schools, academies and student referral units in England](#)'. It should be read in conjunction with the school's Behaviour Management Policy which sets out in more detail the disciplinary grounds that may lead to exclusion and others where relevant e.g. Single Equality Policy, Special Educational Needs and Disabilities Policy.

2. What is Suspension?

Suspension- when a student must not come to school for one or more fixed periods of time.

Suspension is an extremely serious disciplinary sanction that can only be decided by the Head teacher. It means that a student is not allowed on the school premises for the duration of the Suspension. If a student suspended from school is found in a public place during normal school hours during the first five school days of suspension, then a person with parental responsibility for them may be prosecuted or given a fixed penalty notice (a fine).

A student may be suspended for one or more fixed periods (up to a maximum of 45 school days in a single academic year). A suspension does not have to be for a continuous period. The law does not allow for extending a suspension or 'converting' 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 period ends. A suspension can also be for just parts of a school day. For example, if a student's behaviour at lunchtime is disruptive, they may be excluded from the school premises for the duration of the lunchtime period. Lunchtime exclusions are counted as half a school day for statistical purposes and in determining whether a governing body meeting is triggered.

3. What is Permanent exclusion?

A permanent exclusion is when a student is permanently excluded from school and not allowed to return. This is a very serious outcome and decision, and the Head teacher will consult with senior leaders and the chair of the governing body as soon as possible in such a case. A decision to exclude a student permanently will be taken

- 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 or welfare of the pupil or others such as staff or pupils in the school.

4. Reasons for Suspension/Permanent exclusion

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

- In response to a serious breach of the school's Behaviour Policy.
- If allowing the student to remain in school would seriously harm the education or welfare of other people or the student themselves in the school.

For example, it could be used for any of the following, all of which constitute examples of unacceptable conduct (including outside of school), and are serious infringements of our Behaviour Management Policy:

- Verbal abuse to staff or other adults or to students
- Physical abuse to/attack on staff or other adults or students
- Indecent behaviour, sexual abuse, or sexual assault
- Damage to property
- Misuse of illegal or prescription drugs or other substances including the supply of an illegal or controlled substance
- Theft
- Serious actual or threatened violence against another student or a member of staff or of someone else who is part of the school community
- Racist abuse
- Abuse against sexual orientation or gender reassignment
- Abuse relating to disability
- Use, or threat of use, of an offensive weapon or prohibited item that has been prohibited by a school's behaviour policy
- 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 behaviour.

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

5. Deciding to Suspend/Permanently exclude

When we decide on any out of school sanction we will:

- take account of our legal duty of care when sending a student home following a suspension/permanent exclusion;
- establish the facts in relation to the decision according to the civil burden of proof i.e. on 'the balance of probabilities' (whether the breach more than likely did, than did not, happen) and not the criminal burden of proof, 'beyond reasonable doubt'; This means that the head teacher will accept that something happened if it is more likely that it happened than that it did not happen.
- take care in the process not to discriminate against, harass or victimise students because of: sex; race; disability; religion or belief; sexual orientation; pregnancy/maternity; or gender reassignment and make reasonable adjustments to ensure everyone can participate in the process, including where a difficulty may be due to English not being a parent's first language;
- communicate without delay in person or by telephone in the first instance to give the parents/carers an opportunity to ask any initial questions or raise concerns directly with the Head teacher or a designated member of the schools leadership team;
- communicate decisions clearly and in writing with all due regard for necessary reasonable adjustments as above and by an appropriate method which might include text message, email, or notice given in person or sent home with the student or posted/hand delivered to the last known home address. If a notice is sent home with a student, we will consider the need to send a duplicate copy by an alternative method as well or take steps to confirm receipt of the notice;
- notify the governing body and Local Authority of any permanent exclusion, any suspension of more than 5 days or 10 lunchtimes in one term, and any suspension that means a student will miss a statutory examination or assessment (including the reason/s for and duration of the suspension);

- notify the local authority and governing body once per term of any other suspensions not already notified;
- within 14 days of any request, provide the Secretary of State for education and the local authority, with information about any exclusions within the last 12 months;
- in the case of a permanent exclusion where the student lives outside the local authority area in which our school is located, notify the student's 'home authority' of the exclusion and reason(s) for it without delay so they can arrange to meet their legal duty to provide suitable full-time education.

6. The Exclusion Process

6.1 Suspension

We aim to make a suspension the shortest time necessary to ensure minimal disruption to the student's education, whilst being mindful of the seriousness of the breach of policy.

A suspension cannot be extended or converted to 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 period ends; or a permanent exclusion may be issued to begin immediately after the end of the fixed period.

When we decide on a suspension we will:

- inform parents/carers explaining the reasons for the suspension and how long it will last;
- where a student has a social worker, e.g., because they are the subject of a Child in Need Plan or a Child Protection Plan, the head teacher (or member of staff under the direction of the head teacher) will inform their social worker, the Designated Safeguarding Lead (DSL) and the student's parents to involve them all as early as possible in relevant conversations.
- where a looked-after child (LAC) is likely to be subject to a suspension or permanent exclusion a member of the schools safeguarding team will contact the local authority's VSH as soon as possible.
- provide resources/activities for the student for the first 5 days of the suspension;
- In the case of a looked-after child or child with a social worker, the school and the local authority will work together to arrange alternative provision from the first day following the suspension.
- make arrangements for alternative education for a student from the 6th day if the suspension is for more than 5 days (or consecutive shorter suspensions accumulate to more than 5 days) and we will include the following information (if we can find it out in within the timescales):
 - the start date for any provision of full-time education that has been arranged;
 - the start and finish times, including the times for morning and afternoon sessions if relevant;
 - the address at which the provision will take place if applicable; and
 - any information required by the student to identify the person they should report to on the first day.

We will not take this step regarding a suspension only when a student is in their final year of compulsory education and does not have any further public examinations to sit.

- explain that during the first 5 days of any suspension, the student must not be in a public place during school hours and that parents/carers are responsible for the whereabouts of the student because a parent/carer who fails to comply with this duty without reasonable justification will be committing an offence and may be given a fixed penalty notice or be prosecuted;
- If appropriate arrange a re-integration meeting on the student's return to school where all those concerned can discuss the best way forward for the student. Where possible this meeting should involve a parent/carer. The purpose of the meeting is to help the student to understand the impact of their behaviour on themselves and others if it is felt that this has not already been sufficiently addressed in prior conversations with them.
- ensure parents/carers know about their right to make representations about the suspension to the governing body/trustees, how representations should be made and, where there is the legal right to meet with the governing body to have them consider the suspension, to be represented at that meeting (at their own expense) and to bring a friend. See [Section 7](#) for more information about the role of governors and this process.

- provide information about relevant sources of free and impartial information including:
 - a link to this statutory guidance on exclusions www.gov.uk/government/publications/school-exclusion;
 - a link to sources of impartial advice for parents such as the Coram Studentren’s Legal Centre (www.studentrenlegalcentre.com), or ACE Education (www.aceed.org.uk) and their advice line service on 03000 115 142 on Monday to Wednesday from 10 am to 1 pm during term time); and
 - where relevant, links to local services, such as Traveller Education Services, the Information Advice & Support Services Network (formerly known as the local parent partnership) (<https://councilfordisabledstudentren.org.uk/information-advice-and-support-servicesnetwork/about> the National Autistic Society (NAS) School Exclusion Service (England) (0808 800 4002 or schoolexclusions@nas.org.uk), or Independent Parental Special Education Advice (www.ipsea.org.uk).

If we can’t provide any of the information, we need to about alternative education in the timescales, we will provide a subsequent notice later, 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 6th day of a suspension, in which case the information can be provided with less than 48 hours’ notice with parents’ consent.

We understand how important it is to write legally correct letters about suspensions and the process so we will use templates provided or recommended to us by our Local Authority.

6.2 Permanent Exclusion

A permanent exclusion is when a student is permanently excluded from school and not allowed to return. This is a very serious outcome and decision, and the Head teacher will consult with senior leaders and the chair of the governing body as soon as possible in such a case.

We will follow the same procedure to decide on and initiate a permanent exclusion as for a suspension (including using appropriate template letters from our Local Authority), but where a student is not returning to our school, we will not arrange alternative education and instead will take steps to initiate an assessment of the student by the local authority responsible for their continuing education (from the 6th day after exclusion), so that a long-term re-integration plan for a new placement can be put in place. We will also draw attention to a student’s statement of SEND if they have one because the Local Authority must ensure that an appropriate full time placement is identified in consultation with the parents, who retain their rights to express a preference for a school that they wish their student to attend, or make representations for a placement in any other school.

The governing body will meet to decide whether to reinstate a student and if the Head teachers’ decision to exclude was justified based on the evidence.

Parents/carers and the student will have an opportunity to present their point of view, regarding the exclusion and governors will either uphold the exclusion or reinstate the student.

Governing body meetings may be held via the use of remote access (for example, live video link) if requested by the parents/carers, provided certain criteria are satisfied. Meetings held via the use of remote access will not be a default option and face to face meetings will always be encouraged.

If the permanent exclusion is upheld by the governing body, parents/carers have the right to appeal to an Independent Review Panel. This panel must be arranged within 15 days of the permanent exclusion (or for exclusions over 15 days) and will be at a time and date convenient to all parties A representative from the Local Authority must also be invited to the meeting.

Where possible, written evidence including other relevant information should be circulated to all parties of an Independent Review Panel at least 5 days in advance of the meeting. See [Section 7](#) for more information about the role of governors and this process.

7. Suspension/permanent exclusion of a student who has Special Educational Needs

There are certain factors that every school needs to take into consideration for students who display disruptive behaviour that is as a result of their Special Educational Need or Disabilities (SEND) so we will take steps to:

- engage proactively with parents/carers in supporting the behaviour of students with additional needs;
- provide early intervention to address underlying causes of disruptive behaviour including an assessment of whether appropriate provision is in place to support any SEN or disability that a student may have;
- consider the use of a multi-agency assessment for students who demonstrate persistent disruptive behaviour;
- take account of our statutory duties in relation to SEND when administering the exclusion process including having regard to the SEND Code of Practice;
- where we have concerns about the behaviour, or risk of exclusion, of a student with additional needs, a student with a statement of SEN or looked after student, in partnership with others (including the Local Authority as necessary) consider what additional support or alternative placement may be required.

Ultimately, the decision to exclude a student must be lawful, reasonable, and fair, in particular considering our statutory duty under the Equality Act 2010 not to discriminate against students on the basis of protected characteristics, such as disability.

8. The Role of Governors

The governing body has a duty to consider parents/carers representations about a suspension/permanent exclusion and must consider the reinstatement of a student within 15 school days of receiving notice of the suspension/exclusion if:

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

If a student would be suspended from school for more than 5 school days, but not more than 15, in a single term, and requested to do so by the parents, the governing body must consider the reinstatement of a suspended student within 50 school days of receiving notice of the suspension.

In the case of a suspension which does not bring the student's total number of days of exclusion to more than five in a term, the governing body must consider any representations made by parents/carers, but it cannot direct reinstatement as it does not have the power to overturn the Head teacher's decision and is not required to arrange a meeting with parents. In this case governors will consider whether it would be appropriate to place a note of their findings on the student's educational record.

Suspended/permanently excluded students will be enabled and encouraged to participate at all stages of the exclusion process, considering their age and understanding.

Following their consideration, governors may (where applicable):

- uphold a suspension/permanent exclusion; or
- direct reinstatement of the student immediately or on a particular date.

Where reinstatement is not practical because for example, the student has already returned to school following the expiry of a suspension or the parents/carers make clear they do not want their child reinstated, the governing body must, in any event, consider whether the Head teacher's decision to exclude the student was justified based on the evidence.

In reaching a decision on whether to reinstate a student or not, governors will consider whether the decision to suspend/exclude the student was lawful, reasonable, and procedurally fair, taking account of the Head teacher's legal duties.

In the case of a permanent exclusion, parents have the right to ask for the decision to be reviewed by an Independent Review Panel which will include representatives from the governing body.

9. What is an Independent Review Panel?

If applied for by parents/carers within the legal time frame, the Local Authority will, at their own expense, arrange for an Independent Review Panel hearing to review the decision of a governing body not to reinstate a permanently excluded student.

The legal time frame for an application is:

- within 15 school days of notice being given to the parents/carers by the governing body of their decision to uphold a permanent exclusion; or
- where an application has not been made within this time frame, within 15 school days of the final determination of a claim of discrimination under the Equality Act 2010 in relation to the exclusion.

If requested by parents/carers in their application for an independent review panel, the local authority must appoint a SEND expert to attend the panel and cover the associated costs of this appointment. The SEND expert's role is like that of an expert witness, providing impartial advice to the panel on how special educational needs might be relevant to the exclusion, for example, whether the school acted reasonably in relation to its legal duties when excluding the student.

Parents/carers have a right to request the attendance of a SEND expert at a review, regardless of whether the school recognises that their student has SEND.

The role of the panel is to review the governing body's decision not to reinstate a permanently excluded student.

In reviewing the decision, the panel must consider the interests and circumstances of the excluded student, including the circumstances in which the student was excluded, and have regard to the interests of other students and people working at the school. The panel must also apply the civil standard of proof rather than the criminal standard.

Following its review, the panel can decide to:

- uphold the exclusion decision;
- recommend that the governing body reconsiders their decision; or
- quash the decision and direct that the governing body considers the exclusion again.

An independent review panel does not have the power to direct a Local Advisory Board to re-instate an excluded student. However, where a panel decides that a Local Advisory Board's decision is flawed when considered in the light of the principles applicable on an application for judicial review, it can direct a Local Advisory Board to reconsider its decision.

10. Marking Attendance Registers Following Exclusion

When a student is suspended they will be marked as absent using Code E.

Whilst a permanently excluded student's name remains on a school's admission register, the student should be marked using the appropriate attendance code. Where alternative provision has been made and the student attends it, an appropriate attendance code, such as Code D (Dual Registered - at another educational establishment) or Code B (Off-site educational activity), will be used. Where students are not attending alternative provision, they will be marked absent using Code E.

11. Cancelling a suspension/permanent exclusion

The head teacher may cancel an exclusion that has already begun and has not been reviewed by the governing board. This practice is sometimes known as withdrawing/rescinding a suspension or permanent exclusion. If this occurs, parents/carers, the governing board and the local authority will be notified, and if relevant, the social worker and VSH. Parents/carers will be offered the opportunity to meet with the head teacher or a member of the schools leadership team to discuss the circumstances that led to the exclusion being cancelled.

