

BILLINGHAY CHURCH OF ENGLAND PRIMARY SCHOOL
SUSPENSION AND PERMANENT EXCLUSION POLICY
February 2026

1. Introduction

- This policy sets out the procedures which Billingham Church of England Primary School will follow when dealing with a suspension or a permanent exclusion.
- We do not wish to exclude any pupil from school, but sometimes this may be necessary. The school has adopted the following guidance from the DfE:
Behaviour in Schools – Feb 24.
Suspension and Permanent Exclusion from Maintained Schools, Academies and Pupil Referral Units in England – Aug 24.
LSCP Banned Items in Lincolnshire Schools and Colleges.
We refer to this guidance and will follow them in any decision to suspend or permanently exclude a child from school. We acknowledge that the guidance is not exhaustive and judgements will need to take account of the circumstances of individual cases.

2. Parents

- DfE guidance states that 'parent', in addition to the child's birth parents, means anyone who has parental responsibility (which includes the Local Authority where it has a care order in respect of the child) and any person (for example, a foster carer) with whom the child lives.

3. Promoting Positive Behaviour and Early Intervention

- In most cases suspension or a permanent exclusion will be the last resort after a range of measures have been tried to improve a pupil's behaviour.
- We have a range of strategies in place to address challenging behaviour which may lead to suspension or a permanent exclusion. See our Behaviour Policy.
- We will promote positive behaviour and have procedures in place to do this and prevent bad behaviour.
- The Headteacher will refer pupils identified at risk of exclusion to alternative or additional provision to meet their individual needs which could include working in partnership with other agencies. See Appendix 1.
- In addition to the approach above, Headteachers should consider what extra support might be needed to identify and address the needs of pupils from vulnerable groups in order to reduce their risk of suspension and permanent exclusion.
- Where a school has concerns about the behaviour, or risk of suspension or permanent exclusion, of a child with additional needs, a pupil with a statement of SEN or a looked after child it should, in partnership with others (inc the L.A, Virtual School, Social Worker etc as necessary) consider what additional support or alternative placement may be required.
- Alternatives to exclusion include a 'Managed move' where a pupil can transfer to another school. This is voluntary and can only occur with the consent of the parties involved, including parents.
- Off site direction is when a governing body of a maintained school requires a pupil to attend another educational setting to improve their behaviour.

4. Fixed term Suspensions and Permanent Exclusions

- A decision to suspend or permanently exclude a pupil should be taken only:
 - In response to a serious breach, or persistent breaches or serious and repeated breaches of the school's behaviour policy.
- A decision to exclude a pupil permanently is a serious one. It will usually be the final step in a process for dealing with disciplinary offences following a wide range of other strategies, which have been tried without success. However, a pupil may be permanently excluded on the basis of a single serious breach of the school's behaviour policy. Examples include:
 - Serious actual or threatened violence against another pupil or a member of staff.
 - Sexual abuse or assault.

- Supplying an illegal drug. (Refer to Drug Education Policy)
 - Carrying an offensive weapon.
- We recognise these instances are not exhaustive but indicate the severity of such offences and the fact that such behaviour can effect the discipline and well being of the school community.
- Only the Headteacher (or in the absence of the Headteacher the teacher in charge) can exclude a pupil.
- See Appendix 2 for the List of Reasons for Suspensions or permanent exclusions.
- Suspension or a permanent exclusion will not be imposed in the heat of the moment unless there is an immediate threat to safety of others in the school or the pupil concerned. Before deciding whether to suspend or exclude a pupil the Headteacher should:
 - Ensure a thorough investigation has been carried out.
 - Consider all the evidence available. When establishing the facts in relation to a suspension or an exclusion decision the Headteacher must apply the civil standard of proof 'on the balance of probabilities' i.e. if it is more likely than not that a fact is true, the Headteacher may exclude the pupil. This means that the headteacher should accept that something happened if it is more likely that it happened than that it did not happen.
 - Where practical, give pupils an opportunity to present their case before taking the decision to exclude.
 - Check whether the incident may have been provoked for example by bullying, or by sexual or racial harassment. Whilst a suspension or permanent exclusion may still be an appropriate sanction, Headteachers should take into account any contributing factors that are identified after an incident has occurred. For example, where it comes to light that a pupil has suffered bereavement, has mental health issues or has been subject to bullying.
 - If necessary, consult others.
- We recognise that informal or unofficial suspensions or exclusions such as sending pupils home to 'cool off' are unlawful, regardless of whether they occur with the agreement of parents or carers and the exclusion of a pupil, even for short periods, must be formally recorded.
- The decision to suspend or permanently exclude a pupil must be lawful, reasonable and fair. Schools must not discriminate against, harass, or victimise pupils because of: sex; race; disability; religion or belief; sexual orientation; pregnancy/maternity; or gender reassignment.
- For disabled children, this includes a duty to make reasonable adjustments to any provision, criterion or practice which puts them at a substantial disadvantage, and the provision of auxiliary aids and services.
- In carrying out their functions, the public sector equality duty means schools must also have due regard to the need to:
 - eliminate discrimination, harassment, victimisation, and other conduct that is prohibited by the Equality Act;
 - advance equality of opportunity between people who share a relevant protected characteristic and people who do not; and foster good relations between people who share a relevant protected characteristic and people who do not share it.
- A suspension, where a pupil is temporarily removed from the school, is an essential behaviour management tool that should be set out within a school's behaviour policy.
- A pupil 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. In exceptional circumstances, usually where further evidence has come to light, a fixed period suspension may be extended or converted to a permanent exclusion. The limit of 45 school days applies to the pupil and not the institution.
- A suspension may be used to provide a clear signal of what is unacceptable behaviour as part of the school's behaviour policy and show a pupil that their current behaviour is putting them at risk of permanent exclusion. Where suspensions are becoming a regular occurrence

for a pupil, headteachers and schools should consider whether suspension alone is an effective sanction for the pupil and whether additional strategies need to be put in place to address behaviour.

- It is important that during a suspension, pupils still receive their education. Headteachers should take steps to ensure that work is set and marked for pupils during the first five school days of a suspension. This can include utilising any online pathways such as Microsoft Teams or Oak National Academy. The school's legal duties to pupils with disabilities or special educational needs remain in force, for example, to make reasonable adjustments in how they support disabled pupils during this period. Any time a pupil is sent home due to disciplinary reasons and asked to log on or utilise online pathways should always be recorded as a suspension.
- A suspension can also be for parts of the school day. For example, if a pupil's behaviour at lunchtime is disruptive, they may be suspended from the school premises for the duration of the lunchtime period. The legal requirements relating to the suspension, such as the headteacher's duty to notify parents, apply in all cases. Lunchtime suspensions are counted as half a school day in determining whether a governing board meeting is triggered.
- If a parent does not comply with a suspension or permanent exclusion the school will not enforce it if the pupil's safety is in place. If efforts to resolve the issue are unsuccessful the school will contact Education Welfare Service and seek advice from the LA.
- Behaviour outside of school e.g. on school trips is subject to the school's Behaviour Policy and will be dealt with as if it had taken place at school. Pupil's behaviour on a journey to or from school, can also be grounds for suspension or a permanent exclusion.
- A pupil's behaviour outside school can be considered grounds for a suspension or permanent exclusion. Any decision of a headteacher, including suspension or permanent exclusion, must be made in line with the principles of administrative law, i.e., that it is: lawful (with respect to the legislation relating directly to suspensions and permanent exclusions and a school's wider legal duties); reasonable; fair; and proportionate.
- 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 which should be arranged without delay;
 - 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.

5. The Role of the Headteacher

- Whenever a Headteacher suspends or permanently excludes a pupil they must, without delay, notify parents of the period of the suspension or exclusion and the reasons for it. This would usually be by telephone in the first instance. They must also, without delay (deemed to be within one school day) provide parents with the following information in writing:
 - the reason(s) for the suspension or permanent exclusion;
 - the period of a suspension or, for a permanent exclusion, the fact that it is permanent;

- parents' right to make representations about the suspension or permanent exclusion to the governing board (in line with the requirements set out in paragraphs 95 to 105) and how the pupil may be involved in this;
- how any representations should be made; and
- where there is a legal requirement for the governing board to consider the suspension or permanent exclusion, that parents or a pupil if they are 18 years old have a right to attend a meeting, to be represented at that meeting (at their own expense) and to bring a friend.
- The letter should also mention in the case of a fixed term suspension, the arrangements made for setting and marking of work (it is the parents' responsibility to ensure the work is completed and returned to school). Work that is provided should be accessible and achievable by pupils outside of school. The work can be sent home with the pupil or sent to the parents via an alternative method such as post, email.
- The name and telephone number of an officer in the Local Authority who can provide advice and support in relation to suspension or exclusion and procedures.
- Written notification of the information outlined above can be provided by: delivering it directly to the parents; leaving it at their last known address; or by posting it to this address.
- Where a suspended pupil is of compulsory school age the Headteacher must also notify parents without delay, and by the end of the day that for the first five school days of a suspension (or until the date of any alternative provision where this is earlier) parents are legally required to ensure that their child is not present in a public place during school hours without reasonable justification, and that parents can be given a fixed penalty notice or prosecution if they fail to do so.
- Parents must be informed where a fixed period suspension has been extended or converted to a permanent exclusion. In such cases the Headteacher must write again to the parents explaining the reasons for the change and providing any additional information required.
- The Headteacher must, without delay – seen as within one school day, notify the governing body and the LA of:
 - Permanent exclusions.
 - Exclusion which may result in the pupil missing a public exam or national curriculum test.
- In terms of fixed term suspensions, Lincolnshire Schools are required to report details of all fixed term suspensions to the LA (inc. lunch time exclusions) within 5 school days of the exclusion. They will be reported to Governors at the next full Governing Body meeting.
- When headteachers suspend or permanently exclude a pupil who has a social worker or if the pupil is looked after, the headteacher must notify the social worker and / or virtual school.

6. The Role of the Governing Body

- The governing board has a duty to consider parents' representations about a suspension or permanent exclusion. The requirements on a governing board to consider the reinstatement of a suspended or permanently excluded pupil depend upon a number of factors.
- In the case of a maintained school, the governing board may delegate its functions with respect to the consideration of a suspension or permanent exclusion to a designated sub-committee consisting of at least three governors.
- The governing board must consider and decide on the reinstatement of a suspended or permanently excluded pupil within 15 school days of receiving notice of a suspension or permanent exclusion from the headteacher if:
 - it is a permanent exclusion;

- it is a suspension which would bring the pupil's total number of school days out of school to more than 15 in a term; or
 - it would result in the pupil missing a public examination or national curriculum test.
- The requirements are different for suspensions where a pupil would be suspended for more than five but less than 16 school days in a term. In this case, if the parents make representations, the governing board must consider and decide within 50 school days of receiving the notice of suspension whether the suspended pupil should be reinstated. In the absence of any representations from the parents, the governing board is not required to meet and cannot direct the reinstatement of the pupil. Where a suspension or permanent exclusion would result in a pupil missing a public examination or national curriculum test, there is a further requirement for a governing board. It must, so far as is reasonably practicable, consider and decide on the suspension or permanent exclusion before the date of the examination or test. If it is not practical for sufficient governors to consider the reinstatement before the examination or test, the chair of governors, in the case of a maintained school, may consider the suspension or permanent exclusion alone and decide whether or not to reinstate the pupil.
- The following parties must be invited to a meeting of the governing board and allowed to make representations or share information:
 - Parents (and, where requested, a representative or friend);
 - The pupil if they are 18 years or over;
 - The headteacher;
 - A representative of the local authority (in the case of a maintained school or PRU);
 - The child's social worker if the pupil has one; and
 - the VSH if the child is looked after.
- In the case of a suspension which does not bring the pupil's total number of days of suspension to more than five in a term, the governing board must consider any representations made by parents, but it cannot direct reinstatement and is not required to arrange a meeting with parents.
- The governing body must make reasonable endeavours to arrange the meeting for a date and time that is convenient to all parties, but in compliance with the relevant statutory time limits set out above. However, its decision will not be invalid simply on the grounds that it was not made within these time limits.
- The governing body's role is to review suspensions or a permanent exclusion imposed by the Headteacher, who alone has the power to exclude. The governing body cannot increase the severity of a suspension. The governing body can uphold a suspension or permanent exclusion, or direct the pupil's reinstatement (either immediately or by a particular date).
- The governing body must inform the parent, The Headteacher and the LA of their decision in writing within one school day of the hearing, stating their reasons.
- A note of the governing body's views will be placed on the pupil's school record.

7. Appeal Panels

- If applied for by parents within the legal time frame, the LA must arrange for an independent review panel hearing to review the decision of a governing body not to reinstate a permanently excluded pupil.
- The legal time frame for an application is:
 - Within 15 school days of notice being given to parents by the governing body of their decision
 - Where an application has not been made within this time frame, within 15 school days of the final determination of a claim for discrimination under the Equality Act 2010 in relation to the exclusion.

8. Review

- The Headteacher and staff will review this policy in Term 3 2028. Any suggested amendments will be presented to the Governors for discussion at their first meeting of Term 4 2028.

APPENDIX 1

Support and Information to Help Prevent Exclusions

As set out in Lincolnshire's [High Needs Strategy](#) and [Social, Emotional and Mental Health \(SEMH\) Strategy](#), all adults interacting with vulnerable pupils need to understand how they can and must act as buffers against adversity and build resilience. These strategies overarch the SEND Transformation work; supporting mainstream schools to be more confident and able to meet need, enabling high aspirations to be achieved so that pupils can thrive.

Lincolnshire's Ladder of Behavioural Intervention is underpinned by current statutory guidance on [Suspension and Permanent Exclusion](#). Its companion piece on [Behaviour in Schools](#) provides advice on interventions and approaches that can be taken to prevent the recurrence of misbehaviour. The Ladder builds on this, providing clear advice and protocol for Lincolnshire schools to enable them to try and understand the underlying causes of behaviour and any additional support needed.

It is designed to promote an evidence-based approach to early intervention and to signpost to available resources, including access to funding, to intervention placements at Alternative Provision and support managed moves. The Pupil Reintegration Team (PRT) is available to provide support, guidance and advice throughout the Ladder and can be contacted at PRT@lincolnshire.gov.uk or at 01522 555798 (North) or 01522 555816 (South).

Lincolnshire's [Behaviour Outreach Support Service \(BOSS\)](#) is available with a universal offer; able to provide training and workshops to support inclusion and understanding the causative factors of behaviour to provide consistent strategies and improve confidence and skills in meeting pupil's needs. Within the Ladder, their targeted offer is based on trauma informed and relational approaches. They are able to work with your school and individual pupils to understand needs and develop a joint, solution focused plan of support.

Alongside the Ladder, Lincolnshire's [Early Help Assessment](#) and Team Around the Family (TAF) supports the identification of support for children and young people and their families as soon as issues start to emerge, to reduce or prevent them escalating or becoming entrenched.

The [Valuing \(V\)SEND](#) assessment tool enables schools to assess needs on an individual and whole school perspective that can feed into and shape your whole school development plan to support setting readiness and ability to meet need.

Where a pupil has special educational needs, Lincolnshire's [Inclusion Toolkit](#) maps out support and resources that can and should be in place as part of a robust graduated approach.

Lincolnshire's advice line for Sensors, [Ask SALL](#) provides relevant and meaningful advice, guidance, and signposting to support and services to enable pupil's needs to be met more effectively within mainstream schools.

Where a pupil has Autism and/or social communication learning needs, Lincolnshire's [Working Together Team](#) is available to provide expertise and practical specialised advice.

APPENDIX 2

List of Reasons for Suspension or Permanent Exclusions

This list provides descriptors of reasons for suspensions or a permanent exclusion.

Physical Assault against a Pupil

Physical Assault against an Adult

Verbal Abuse / Threatening Behaviour against a Pupil

Verbal Abuse / Threatening Behaviour against an Adult

Bullying

Racist Abuse

Sexual Misconduct

Drug and Alcohol related

Damage

Theft

Persistent Disruptive Behaviour

Inappropriate Use of Social Media or Online Technologies

Abuse Against Sexual Orientation and Gender Identity

Abuse Relating to Disability

Wilful and Repeated Transgression of Protective Measures in Place to Protect Public Health

Use or Threat of Use of an Offensive Weapon or Prohibited Item

