LDST
Liverpool Diocesan Schools Trust

EXCLUSIONS AND SUSPENSIONS POLICY

OUR TRUST PRAYER

Heavenly Father
Let peace, friendship and
love grow in our schools.
Send the Holy Spirit to give
excellence to our learning,
love to our actions and
joy to our worship.
Guide us to help others
so that we may all
Learn, Love and Achieve,
Together with Jesus.
Amen

Introduction

An exclusion is the legal power a [1]headteacher has to remove a pupil from the school site either for a fixed period (a suspension) or permanently. Only the headteacher (including an acting headteacher appointed in the headteacher's absence) may suspend or permanently exclude a pupil on disciplinary grounds. A pupil may be suspended for one or more fixed periods up to a maximum of 45 school days in a single academic year, and a suspension need not be for a continuous period.

It is a statutory obligation to have an Exclusion Policy that complies with the Department for Education's Guidance on Suspension and Permanent Exclusion of July 2026. This Policy should be read in conjunction with that Guidance.

Expectations

Every headteacher is expected to provide a safe, calm and supportive environment for pupils to learn effectively and to thrive. Sometimes it will be necessary to remove a pupil on a fixed term or permanent basis to achieve this.

Neither suspension nor exclusion is to be used without investigation and proper consideration of possible alternatives. Permanent exclusion will be the last resort.

The Policy and attached procedures will set out how the suspension and/or exclusion process will operate. The 'Exclusion and Suspension Policy' supports the principles set out in the 'Behaviour Policy'.

Prior to an Exclusion or Suspension

The individual pupil's background, circumstances and needs should be considered on a case-by-case basis. The school must demonstrate that a range of strategies and interventions have been tried to modify the pupil's behaviour.

If a pupil has a disability, identified SEN or Social Emotional Mental Health needs then consideration about how this impacts on their behaviour will be taken into account.

If there is social care or health involvement, consultation with these agencies will be part of the evidence gathering and review process.

Suspensions are to be used as part of a strategy to improve behaviour. These will be supported by reintegration meetings that focus on improving behaviour.

[1] We use headteacher throughout this policy with the meaning of Executive Headteacher, Headteacher and Acting Headteacher.

In some cases, the matter will be so serious that a single incident may lead to a permanent exclusion.

A pupil's behaviour outside school can be taken into account, this can include online and physical actions. A headteacher can consider reports of a pupil's actions outside school to determine if the pupil has brought the school into disrepute.

Breaches of the Behaviour Policy

If a pupil's behaviour has a detrimental effect on other pupils in the class and school this is a breach of the behaviour policy. The examples below are not exhaustive, it is the impact of the behaviour that will be taken into consideration.

Such behaviour prevents staff delivering the best teaching and learning for the class as resources are diverted to manage and control an individual at the expense of other pupil's learning opportunities.

Behaviour that is disruptive, in and outside of lessons can lead to either fixed term suspensions, or in some cases a permanent exclusion.

Examples of disruptive behaviour can include:-

- verbal, online or physical bullying
- aggressive behaviour to others in school
- disruption of lessons as a result of poor behaviour
- refusal to follow instructions or directions from school staff
- use or threats of weapons
- damage to school property
- threatening behaviour

Serious Single Incidents

A single, one off, serious incident can result in a permanent exclusion.

Examples of such a serious matter are:-

- physical assault against a pupil
- physical assault against an adult
- verbal abuse or threatening behaviour against a pupil
- verbal abuse or threatening behaviour against an adult
- use, or threat of use, of an offensive weapon or prohibited item that has been banned by a school's behaviour policy
- bullying
- racist abuse
- abuse against sexual orientation or gender reassignment
- abuse relating to disability
- making serious false allegations about another person

The list is not exhaustive. The headteacher can take other factors into account when deciding if a single incident is so serious to require a permanent exclusion.

Removal from Site for Safeguarding Purposes

In certain circumstances, and separately from the formal suspension or exclusion process, a school may temporarily require a pupil not to attend the school site, or keep a pupil apart from another pupil or group of pupils, where this is necessary to safeguard and promote the welfare of pupils – for example, while a safeguarding investigation is carried out. This is a safeguarding measure and not a disciplinary suspension or permanent exclusion, and it must not be used as a substitute for either.

The school will inform parents of the reason for the measure, keep it under regular review and in place only for the shortest time necessary, and continue to make arrangements for the pupil to receive suitable education during this period. Such a measure must never be used to manage a pupil's behaviour, to remove a pupil from roll informally (off-rolling), or to avoid the formal exclusion process.

It is suggested that any resulting absence be recorded using attendance code Y7.

Decision Making

The headteacher must be satisfied that the behaviour was in breach of the Behaviour Policy. This may be on the grounds of persistent disruptive behaviour or a single one-off incident (or a combination of both). When establishing the facts, the headteacher must apply the civil standard of proof — that is, on the balance of probabilities it is more likely than not that the behaviour occurred — rather than the criminal standard of 'beyond reasonable doubt'.

A headteacher has the power to issue a permanent exclusion. If the head is absent for a significant period, an acting headteacher can be authorised to make an exclusion decision. The CEO must be advised of all exclusions.

Only the headteacher, or an acting headteacher carrying out the headteacher's functions in their absence, can issue a suspension or permanent exclusion. This decision cannot be delegated to another member of the senior leadership team.

A decision to exclude a pupil permanently will only be taken:

- in response to a serious breach or persistent breaches of the school's behaviour policy, and;
- where allowing the student to remain in school would seriously harm the education or welfare of the student or others in the school.

A headteacher can cancel any sanction before it is reviewed by the Local Governing Board (LGB).

Decisions must be:-

- lawful
- fair
- reasonable
- proportionate
- follow the evidence gathered
- rational

In the headteacher's absence, the decision passes to whoever is formally appointed to act as headteacher; this will not necessarily be the deputy headteacher.

Notification of the sanction

The headteacher must notify the parent of the excluded pupil without delay of the reasons for the sanction.

If the pupil is Looked After by the Local Authority (LA) or has a social worker, then relevant people at the LA must be notified. The LA and CEO must be notified of all suspensions and exclusions.

The notification will set out what will happen next, and how and when the sanction can or will be reviewed by the LGB.

Details about how work will be set, how it will be marked and returned to the pupil will be explained in the notice. Work will be set and marked for the first five school days of a suspension. Where a suspension is for more than five consecutive school days, the governing board (for a maintained school) or the school (for an academy) must arrange suitable full-time education from the sixth school day; for a permanent exclusion the local authority must arrange this provision from the sixth school day. If Alternative Provision education is to be provided, details of this will be in the notice.

Reviews of the decision to suspend or exclude

The table sets out the how parents can seek a review of the headteacher's decision

Sanction	**Right to Review**
Up to 5 school days suspension in a term	Written representations can be made to the Local Governing Body (LGB). The LGB must consider the submissions and consider if any note is to be placed on the file. There is no time limit for such consideration.

More than 5 but not more than 15 school days suspension in a term	Representations can be made to the LGB. The LGB does not have to meet with the parents/carers. It may be on written submissions alone. This must be done within 50 school days of the decision that triggers the timeline. The LGB must consider the representations and can put a note on the file and overturn the suspension and direct reinstatement but may only do so where the parents have made representations.
More than 15 school days suspension in a term	The LGB must convene a meeting within 15 school days to consider reinstatement. Parents (and usually the pupil) will be invited to attend the meeting and make representations. The LGB can direct reinstatement or determine that the head teacher has acted appropriately. However, if the effect of the sanction is to miss a public exam of national curriculum test, the LGB must seek to review the decision ahead of that event.
Permanent Exclusion	The LGB must convene a meeting within 15 school days to consider reinstatement. Parents (and usually the pupil) will be invited to attend the meeting and make representations. The LGB can direct reinstatement or determine that the head teacher has acted appropriately.

The Review meeting

The meeting date will be shared by the clerk. The school will be required to provide evidence of the reasons for the suspension or exclusion.

Parents (and the pupil) have the opportunity to make representations. They can be accompanied by a friend or representative.

The LGB can consider inviting parents and school representatives to reviews of suspensions up to 15 days. However, it is not a requirement that parents are invited to the LGB meeting that will discuss the suspension. If the parents are not in attendance, then the headteacher will not be physically present for that discussion. The headteacher will be invited to submit any submissions also.

If the LGB meeting is to review a suspension of 16 or more days, or to review a decision to permanently exclude a pupil, then parents and the headteacher will be invited to a specially convened meeting. Where the pupil has a social worker, the social worker must be invited; where the pupil is looked after by the local authority, the Virtual School Head must be invited; and for a maintained school or pupil referral unit a representative of the local authority must also be invited. These parties may attend and make representations.

The clerk will make arrangements for the meeting and notify all parties of the date, time and venue. The clerk will liaise to secure a mutually convenient time if possible.

If the parents/carers request a remote meeting for the LGB review or IRP review. In all other situations, unless there are exceptional circumstances, the review will be in person.

All material that has been provided to the clerk will usually be shared with all parties 5 school days before the meeting.

The meeting panel will be comprised of governors who have no connection with the incidents or events. It may be necessary to use governors or trustees from other schools or trusts to demonstrate suitable independence.

The panel can uphold the headteacher's decision or direct reinstatement.

After the LGB meeting

The clerk must notify all parties of the outcome. The actual decision can be shared by a telephone call to the parents and the school. A letter setting out the reasons in plain English must follow. The letter must also explain what other options are available.

If the decision is to uphold a permanent exclusion, the letter must set out that parents can request an Independent Review Panel within 15 school days of being notified of the GB decision.

Independent Review Panel (IRP)

If parents (or the pupil) request an IRP to review the LGB decision it must usually be held within 15 school days. If a request is received outside the 15 days, it will not be accepted as the legal timeline is very clear.

The IRP members will have no vested interest or connection with the school. An independent panel will be convened by the Liverpool Diocesan Schools Trust (LDST). The IRP members must be suitably trained.

The parents can request that an SEN expert attends. This person is funded by the school or trust but must be independent of them.

The IRP can uphold the decision, recommend a review or quash the decision.

Removal from Roll

A pupil can be removed from the school roll following a permanent exclusion if:-

a) the parent makes no application for an Independent Review Panel within 15 school days of being notified of the meeting of the BG review.
b) the parent notifies the school that they will not be pursuing an IRP
c) at the conclusion of the IRP hearing if the IRP upholds the decision to exclude
d) following a reconsideration meeting following an IRP hearing, the LGB still decides to uphold the decision to permanently exclude a pupil

Removal from the school roll must be in compliance with the current version of the School Attendance (Pupil Registration) (England) Regulations 2024.

Police and Criminal Investigations

A pupil and his or her family have the right to contact the police if they feel that a criminal offence has been committed.

Unless specifically directed by the police not to share statements or if they are concerned that the school's processes would significantly prejudice an investigation, the exclusion process should proceed. The significant difference in procedure and legal standard of proof means that the two processes should continue in tandem.

Department for Education Exclusion Reporting Codes

The Department for Education have specific categories of behaviour that may warrant a suspension or exclusion. When reporting to the LA or the DfE a school can select up to three categories.

DfE Exclusion code:

- Abuse against sexual orientation and gender identity - LG
- Abuse relating to disability - DS
- Alcohol related - DA
- Arson - DM
- Bullying - BU
- Challenging/unacceptable behaviour - DB
- Damage - DM
- Disobedience/disrespect to staff - DB
- Drug dealing - DA
- Drug related - DA
- Graffiti/obscene drawing - DM
- Hair/dress not in school code - DB
- Inappropriate use of social media or online technology - MT
- Indecent exposure - SM
- Lewd behaviour - SM
- Non-acceptance of school code of conduct - DB
- Non-attendance at detentions - DB
- Persistent disruptive behaviour - DB
- Physical assault/violent behaviour against a pupil - PP
- Physical assault/violent behaviour against an adult or staff - PA
- Racist abuse - RA
- Refusal of punishment - DB
- Selling/dealing in stolen property - TH
- Setting off fire alarm - DB
- Sexual abuse - SM
- Sexual bullying - SM
- Sexual graffiti - SM
- Sexual harassment - SM
- Sexual misconduct - SM
- Sexual/indecent assault - SM
- Smoking - DA
- Stealing from local shops on school trip - TH
- Stealing personal property - TH
- Stealing school property - TH
- Substance abuse - DA
- Theft - TH
- Truancy/absconding from lessons - DB
- Use or threat of use of an offensive weapon or prohibited item (incl. possession) - OW
- Vandalism - DM
- Verbal abuse/threatening behaviour against a pupil - VP
- Verbal abuse/threatening behaviour against an adult or staff - VA
- Wilful and repeated transgression of protective measures in place to protect public health - PH

Law and Guidance

At each stage the relevant decision makers must ensure that each decision is:-

- lawful
- fair
- reasonable
- proportionate
- follow the evidence gathered
- rational

The principles of Natural Justice, protections of the Human Rights Act 1998 and where relevant the Public Sector Equality Duty must be applied.

The principal legislation to which this guidance relates is:

- the Education Act 2002, as amended by the Education Act 2011
- the School Discipline (Pupil Exclusions and Reviews) (England) Regulations 2012
- the Education and Inspections Act 2006
- the Education Act 1996
- 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, and as modified and amended by the Education (Educational Provision for Improving Behaviour) (Application to Academies and Pupil Referral Units and Minor Amendments) Regulations 2026
- the Equality Act 2010
- the Children and Families Act 2014
- Keeping Children Safe in Education [insert current version]

Statutory Guidance

https://assets.publishing.service.gov.uk/media/66be0d92c32366481ca4918a/Suspensions_and_permanent_exclusions_guidance.pdf

Review Schedule

Policy Author	PHP Law/CEO
Policy Approver	Board of Directors
Current Policy Version	4.2
Policy Effective From	26th July 2026
Policy Review Date	1st September 2027

Revision Schedule

Version	Revisions	By whom
4.1	Reviewed – no updates to main policy. New template letters and documents have been provided.	CEO
4.2	Entire policy reviewed in line with the Department for Education's Guidance on Suspension and Permanent Exclusion of July 2026.	CEO