London South East Academies Trust

Suspension and Permanent Exclusion Policy

Responsible:	Deputy CEO
Approved on/by:	Trust SLT – September 2026
Next Review:	September 2027

Document control table	
Updates, revisions and references	Revision updated to reflect the Department for Education statutory guidance: Suspension and Permanent Exclusion from maintained schools, academies and pupil referral units in England, including pupil movement (July 2026), effective from 26 July 2026. July 2026 updates include: safeguarding separation; updated off-site direction requirements for academies and pupil referral units; clarification on managed moves; stronger wording on SEND/equality considerations, recording, governance oversight, and unlawful informal exclusions.
The term “headteacher” covers the lead within the individual Academy, whether headteacher, head of school or executive headteacher.	

1. Aims

As a Trust with a majority of SEND and Alternative Provision Academies, we aspire to have zero suspensions and permanent exclusions but, for the safety of all students and staff, we must reserve the right, as set out in the national guidance on suspensions and permanent exclusions, to suspend or exclude students on rare occasions. This principle is adopted by our mainstream primary provisions also. Our aim is to explore alternative options for pupils before the decision to suspend on a fixed-term basis or to permanently exclude.

The Trust Board and EPS Committee will review data to consider the level of pupil moves, suspensions and the characteristics of pupils who have been permanently excluded to ensure the sanction is only used, when necessary, as a last resort.

A suspension is a sanction used following serious incidents or where appropriate support, interventions and strategies have not secured the required improvement in behaviour. Careful consideration is given when discussing a potential suspension.

The restorative approach runs alongside any suspensions and at LSEAT, parents/legal guardians/families will be included in this process.

At LSEAT we aim to ensure that:

- the suspension and permanent exclusion process is applied fairly, proportionately, lawfully, and reasonably

- the suspension and permanent exclusion process is understood by Trustees, Local Community Governors, staff, parents and pupils
- pupils in our Academies are safe and happy
- pupils do not become NEET (not in education, employment or training)

2. Legislation and statutory guidance

This policy is based on statutory guidance from the Department for Education: Suspension and Permanent Exclusion from maintained schools, academies and pupil referral units in England, including pupil movement (July 2026), effective from 26 July 2026.

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

- Section 51A of the Education Act 2002, as amended by the Education Act 2011
- The School Discipline (Pupil Exclusions and Reviews) (England) Regulations 2012
- 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
- The Equality Act 2010
- The Children and Families Act 2014

This policy should also be read alongside the Trust's behaviour, safeguarding, SEND, equality, attendance, inclusion and alternative provision policies.

This policy complies with our funding agreement and model articles of association.

3. The Equality Act (2010) and Special Educational Needs

We have a statutory duty not to discriminate against, harass, or victimise pupils on the basis of protected characteristics. We will give particular consideration to pupils who are more vulnerable, based on national figures, to be excluded, and those groups who, in our academy, are vulnerable to exclusion.

For disabled children, we will make reasonable adjustments to policies and practices and the provision of auxiliary aids as appropriate. We will not create policies or use practices that discriminate against pupils with protected characteristics by unfairly increasing their risk of exclusion. We will comply with our statutory duties in relation to SEND when administering the exclusion process. This includes having regard to the SEND Code of Practice.

Where we have concerns about the behaviour, or risk of suspension or permanent exclusion, of a child with additional needs, a pupil with an EHC plan or a looked after

child, we will, in partnership with others (including the local authority as necessary), consider what additional support or alternative placement may be required. This will involve assessing the suitability of provision for a pupil's SEND. Where a pupil has an EHC plan, we will evaluate whether there is a need to request an early annual review or interim/emergency review.

Leaders will consider whether unmet special educational needs have contributed to a pupil's behaviour and ensure that appropriate support and reasonable adjustments have been considered prior to any decision to suspend or permanently exclude.

4. Definitions

Suspension – when a pupil is removed from the school for a fixed period.

Permanent exclusion – when a pupil is removed from the school permanently and taken off the school roll.

Disciplinary exclusion – a suspension or permanent exclusion may only be issued on disciplinary grounds.

Off-site direction – where the headteacher requires a pupil to attend another educational setting for the purpose of improving behaviour. This applies to maintained schools, academies and pupil referral units. Off-site direction must be time-limited, clearly planned, notified to parents in writing, subject to regular review, and supported by appropriate information-sharing between settings.

Parent – any person who has parental responsibility and any person who has care of the child.

Managed move – a permanent transfer to another school, agreed by all parties, including parents and the admission authority. Managed moves must follow the School Admissions Code, must not include trial periods, must be voluntary and based on informed agreement, and must not be used where a pupil or parent does not agree. A pupil must not be threatened with, or subjected to, exclusion for refusing a managed move.

Safeguarding separation – a temporary measure used where it is necessary to keep pupils apart to manage a safeguarding risk. This is not a disciplinary sanction and is not recorded as a suspension. It must only be used for the shortest time necessary and with suitable education arrangements in place.

School Day - For the purposes of exclusions, school day is defined as any day on which there is a school session. Therefore, INSET or staff training days do not count as a school day.

5. Safeguarding separation

In exceptional circumstances, a pupil may be required to remain away from the school site for safeguarding reasons, where it is necessary to keep them apart from another pupil or pupils.

This is not a suspension and must not be used as a substitute for a disciplinary sanction.

Where safeguarding separation is used, the Trust will ensure the decision is justified, proportionate and time-limited; clearly record the safeguarding rationale; ensure suitable education is arranged; work with the local authority where a duty arises to provide education; and regularly review the arrangement to ensure it remains necessary.

6. Roles and responsibilities

6.1 Headteacher

Only the headteacher, or acting headteacher, can suspend or permanently exclude a pupil from one of our Academies on disciplinary grounds.

The decisions can be made in respect of behaviour inside or outside of school.

A permanent exclusion will only be taken as a last resort.

The Headteacher may seek advice from their Hub Director and the Trust Deputy CEO.

We are committed to following all statutory suspension and permanent exclusion procedures to ensure that every child receives an education in a safe and caring environment.

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

- in response to serious or persistent breaches of the Academy's behaviour policy, and
- where allowing the pupil to remain in the academy would seriously harm the education or welfare of the pupil or others such as pupils or staff at the school.

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

- consider all the relevant facts and evidence, including whether the incident(s) leading to the exclusion were provoked
- allow the pupil to give their version of events
- consider if the pupil has special educational needs (SEN) and whether there have been failures to make reasonable adjustments that led to the incident/or whether reasonable adjustments need to be made to the sanction
- consider whether the pupil is especially vulnerable (e.g. the pupil has a social worker or is a looked-after child) or whether there are mitigating circumstances, or missed opportunities for early interventions
- consider whether all alternative solutions have been explored, such as use of alternative providers, use of Phased Integration Plan (PIP)

In reaching a decision, the headteacher will ensure that it is lawful, reasonable and proportionate; based on the balance of probabilities; and consistent with the school's behaviour policy.

The headteacher will also consider whether unmet special educational needs contributed to the behaviour; whether reasonable adjustments have been made; whether safeguarding factors are relevant; and whether alternative strategies, interventions or support have been implemented and have had impact.

Exclusion will only be used where allowing the pupil to remain in school would seriously harm the education or welfare of others, or where there has been a serious or persistent breach of the behaviour policy.

The headteacher will ensure that all decisions to suspend or permanently exclude are clearly recorded, including the reasons for the decision, prior interventions and support, safeguarding considerations, and SEND or equality-related considerations.

Informal or unlawful exclusions are not permitted. This includes sending a pupil home without formally recording a suspension. Reduced or part-time timetables must not be used as a behaviour management strategy and should only be used in exceptional circumstances, in line with statutory guidance.

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

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

The headteacher will not reach their decision until they have had a response from the pupil, unless it would not be appropriate to do so, and will inform the pupil of how their views were taken into account when making the decision.

Informing parents

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

If the headteacher decides to suspend or permanently exclude a pupil, the parents will be informed about the reason(s) and, in the case of a suspension, the length of it, without delay.

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

- 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

- information about parents' right to make representations about the suspension or permanent exclusion to the governing board and how the pupil may be involved in this
- how any representations should be made including the right to make the request to hold the meeting via the use of remote access
- where there is a legal requirement for the governing board to meet to consider the reinstatement of a pupil, and that parents have a right to attend a meeting, be represented at a meeting (at their own expense) and to bring a friend

The headteacher will also notify parents by the end of the afternoon session on the day their child is suspended or permanently excluded that, for the first 5 school days of an exclusion, parents are legally required to ensure that their child is not present in a public place during school hours. Parents 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, timings, address, and reporting arrangements for the provision.

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.

7. Informing the Provision Board Chair, Academy Council Chair and Lead Safeguarding Trustee

The headteacher will, without delay, notify the Chair of Academy Board, Director of Hub and DCEO of any possible permanent exclusion.

The headteacher will, without delay, notify the Chair of Academy Board, Director of Hub and DCEO of a suspension which would result in the pupil being excluded for more than 5 school days (or more than 10 lunchtimes) in a term, or a suspension which would result in the pupil missing a National Curriculum test or public examination. This information will be communicated through Trust reporting arrangements.

The headteacher will also notify the Chair of Academy Board once per term of any other suspensions of which they have not previously been notified, and the number of suspensions and permanent exclusions which have been cancelled, including the circumstances and reasons for the cancellation.

Suspensions data will also be reported to the Education, Performance and Standards Committee on a termly basis and up to the Trust Board in the DCEO report.

Governance reporting will include analysis of patterns, repeat suspensions and any disproportionality, particularly for pupils with SEND, looked-after children, pupils with a social worker, and other vulnerable groups.

Informing the local authority (LA) pre and post exclusion

For pupils with an EHC plan the relevant school will contact the local authority about any behavioural concerns at an early stage and will consider requesting an early annual review prior to making the decision to suspend or permanently exclude. For those with SEN but without an EHC plan, the school will seriously consider reviewing with external specialists whether the current support arrangements are appropriate and what changes may be required.

Where a looked-after child (LAC) is likely to be subject to a suspension or permanent exclusion, the Designated Teacher should contact the local authority's Virtual School Head as soon as possible.

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

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

Informing the pupil's social worker and/or virtual school head

If a pupil with a social worker is at risk of suspension or permanent exclusion, the headteacher will inform the social worker, Designated Safeguarding Lead and parents as early as possible and involve them in conversations prior to any decision about exclusion being made.

If a pupil who is looked-after is at risk of suspension or exclusion, the headteacher will inform the virtual school head and Designated Lead as early as possible and prior to any decision about exclusion being made.

Where previously looked-after children face the risk of being suspended or permanently excluded, the school will engage with the child's parents and the school's Designated Teacher. The school may also seek the advice of the Virtual School Head on strategies to support the pupil.

If the headteacher decides to suspend or permanently exclude a pupil with a social worker / a pupil who is looked after, they will inform the pupil's social worker / the virtual school head, as appropriate, without delay and in writing.

The social worker / virtual school head will be invited to any meeting of the governing board about the suspension or permanent exclusion, and they may attend in person or remotely.

Cancelling suspensions and permanent exclusions

The headteacher may cancel a suspension or permanent exclusion that has already begun, but this will only be done where it has not yet been reviewed by the governing board. Where there is a cancellation, the parents, Chair of Academy Board, Director of Hub, DCEO and LA will be notified without delay and will also be provided with a reason for the cancellation. Where relevant, any social worker and virtual school head will be notified without delay.

Parents will be offered the opportunity to meet with the headteacher to discuss the cancellation. The duty to consider reinstatement ceases, and there is no requirement to hold a meeting. The pupil 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.

Providing education during the first 5 days of a suspension or permanent exclusion

During the first 5 days of a suspension, if the pupil is not attending alternative provision, the headteacher will take steps to ensure that achievable and accessible work is set and marked for the pupil. Online pathways may be used as applicable. If the pupil has a special educational need or disability, the headteacher will make sure that reasonable adjustments are made to the provision where necessary.

If the pupil is a looked-after child or if they have a social worker, the school will work with the LA to arrange alternative provision from the first day following the suspension or permanent exclusion. Where this is not possible, the school will take reasonable steps to set and mark work for the pupil, including the use of online pathways.

8.1 The Board of Trustees and Chairs of Provision Board

As outlined in the scheme of delegation, responsibilities regarding suspensions and permanent exclusions are delegated by the Trust Board to the Provision Board who will establish an Exclusion Panel of at least three members who are not directly involved in Academy Council of the excluding Academy.

The Board of Trustees, via Chairs of Provision Board/Academy Council panel, has a duty to consider parents' representations about a suspension or permanent exclusion. It has a duty to consider the reinstatement of a suspended or permanently excluded pupil in certain circumstances.

Within 14 days of receipt of a request, the Board of Trustees will provide the Secretary of State and local authority with information about any suspensions or permanent exclusions in the last 12 months.

For a suspension of more than 5 school days, the headteacher on behalf of Board of Trustees will ensure the arrangement of suitable full-time education for the pupil. This provision will begin no later than the sixth day of the suspension.

Monitoring and analysis of suspension and permanent exclusion data

Chair of Academy Board for each academy, and Trust and school leaders will challenge and evaluate the data on the school's use of suspension, permanent exclusion, and phased integration plans including the use of other alternative provision.

To do this, they may consider:

- how effectively and consistently the school's behaviour policy is being implemented
- the school register and absence codes

- instances where pupils receive repeat suspensions
- interventions in place to support pupils at risk of suspension or permanent exclusion
- the characteristics of suspended and permanently excluded pupils, and why this is taking place
- whether placements of pupils placed on PIPs including other alternative provision are reviewed at sufficient intervals
- the cost implications of PIPs

The Trust will also review any disproportionality in suspensions or exclusions, particularly for pupils with SEND, looked-after children, pupils with a social worker, and other vulnerable groups.

The Trust 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.

LSEAT will work with its academies to consider this data, and to analyse whether there are patterns across the Trust, recognising that numbers in any one academy may be too low to allow for meaningful statistical analysis.

8.2 The Local Authority (LA)

For permanent exclusions, the LA is responsible for arranging suitable full-time education to begin no later than the sixth day of the exclusion.

9. Considering the reinstatement of a pupil

Where the pupil has been suspended, and the suspension does not bring the pupil's total number of days of suspension to more than 5 in a term, the Exclusion Panel must consider any representations made by parents. However, it is not required to arrange a meeting with parents, and it cannot direct the headteacher to reinstate the pupil.

Where the pupil has been suspended for more than 5 days, but less than 16 days, in a single term, and the parents make representations to the board, the Exclusion Panel will consider and decide on the reinstatement of a suspended pupil within 50 school days of receiving notice of the suspension.

Where a suspension or permanent exclusion would result in a pupil missing a public exam or National Curriculum test, the Exclusion Panel will, as far as reasonably practicable, consider and decide on the reinstatement of the pupil before the date of the exam or test.

The following parties will be invited to a meeting of the Exclusion Panel and allowed to make representations or share information:

- parents, or the pupil if they are 18 or over, and where requested a representative or friend
- the pupil, if aged 17 or younger and appropriate to their age and understanding

- the headteacher
- the pupil's social worker, if they have one
- the Virtual School Head if the pupil is looked after

The Exclusion Panel can either decline to reinstate the pupil or direct reinstatement immediately or on a particular date, except in cases where the board cannot do this.

In reaching a decision, the panel will consider whether the decision to suspend or permanently exclude was lawful, reasonable and procedurally fair; whether the headteacher followed their legal duties; the welfare and safeguarding of the pupil and their peers; and any evidence presented to the panel.

They will decide whether or not a fact is true on the balance of probabilities.

Minutes will be taken of the meeting, and a record kept of the evidence that was considered. The outcome will also be recorded on the pupil's educational record, and copies of relevant papers will be kept with this record.

The Exclusion Panel will notify relevant stakeholders in writing, without delay, of its decision and reasons.

Where an exclusion is permanent and the Exclusion Panel has decided not to reinstate the pupil, the notification of decision will include notice of parents' right to ask for the decision to be reviewed by an independent review panel, including the relevant deadline and information about the right to request a SEND expert.

10. An independent review (IRP)

If parents apply for an independent review, the Trust must arrange for an independent panel to review the decision of the Exclusion Panel not to reinstate a permanently excluded pupil.

Applications for an independent review must be made within 15 school days of notice being given to the parents by the Exclusion Panel of its decision not to reinstate a pupil.

An IRP of 3 or 5 members will be constituted with representatives from the categories set out in statutory guidance. A clerk will be appointed to the IRP.

The IRP will decide one of the following: uphold the Exclusion Panel decision; recommend that the Exclusion Panel reconsiders reinstatement; or quash the Exclusion Panel decision and direct that they reconsider reinstatement where the decision is judged to be flawed.

The panel must apply the civil standard of proof, on the balance of probabilities.

Where a SEND expert is present, the panel must seek and have regard to the SEND expert's view of how SEND may be relevant to the pupil's permanent exclusion.

Where a social worker or Virtual School Head is present, the panel must have regard to any representations made about the pupil's experiences, needs, safeguarding risks, welfare, background and education.

Once the panel has reached its decision, the panel will notify all parties in writing without delay.

11. School registers

A pupil's name will be removed from the school admissions register if 15 school days have passed since the parents were notified of the Exclusion Panel decision not to reinstate the pupil and no application has been made for an independent review panel, or the parents have stated in writing that they will not be applying for an independent review panel.

Where an application for an independent review has been made, the headteacher will wait until that review has concluded before removing a pupil's name from the register.

Where alternative provision has been made for a permanently excluded pupil and they attend it, code B (education off-site) or code D (dual registration) will be used on the attendance register. Where excluded pupils are not attending alternative provision, code E (absent) will be used.

Making a return to the LA

Where a pupil'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 return must be made as soon as the grounds for removal are met and no later than the removal of the pupil's name.

12. Returning from a suspension

Reintegration – following a suspension, a reintegration meeting will be held involving the pupil, parents, a member of senior staff and other staff, where appropriate. A phased integration plan which best supports the pupil may be agreed with the parent including planned support and interventions. Part-time timetables will not be used as a tool to manage behaviour and will be put in place for the minimum time necessary. This plan is reviewed regularly with the pupil and parents. The plan is recorded and updated on Arbor.

Reintegration planning will consider the underlying causes of behaviour, including safeguarding, trauma, SEND, health or wellbeing needs, and will identify support to reduce the likelihood of repeat suspension. This could include referrals to external agencies for additional intervention or identification of need.

Reintegration meetings

The school will explain the reintegration strategy to the pupil in a reintegration meeting before or on the pupil's return to school. During the meeting the school will communicate to the pupil that they are getting a fresh start and that they are a valued member of the school community.

The pupil, parents, a member of senior staff, and any other relevant staff will be invited to attend the meeting. It is important that parents and pupils attend and it is the Trust's expectation that parents and pupils attend, although the meeting may proceed without the parents in the event that they cannot or do not attend.

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

13. Links with other policies

This suspension and permanent exclusion policy is linked to our:

- Safeguarding Policy
- Behaviour Policy
- Equality & Diversity Policy
- Health and Safety Policy
- Online Safety Policy
- Phased integration and suspension procedures
- SEND Policy and Information Report
- Attendance Policy
- Alternative Provision and Inclusion procedures

Appendix 1: Independent review panel training

LSEAT must ensure that all members of an IRP, Exclusion Panels and clerks have received training within the 2 years prior to the date of the review.

Training must cover the requirements of the primary legislation, regulations and statutory guidance governing suspensions and permanent exclusions; procedural fairness and natural justice; the roles of the chair and clerk; duties under the Equality Act 2010; and the need to act compatibly with human rights protected by the Human Rights Act 1998.