Burnside Primary School: Suspension and Permanent Exclusion Policy

Statement of Intent

At Burnside Primary School, we are committed to creating an inclusive, safe, and nurturing learning community guided by our core values: **be safe, be smart, be kind**. We believe that good behaviour and positive relationships are essential to ensuring that every child is supported to **thrive, achieve, and belong**.

Suspension or permanent exclusion is always a last resort, used only when other interventions have failed or where allowing a pupil to remain on site would seriously harm the education or welfare of themselves or others. This policy outlines the statutory responsibilities of the Headteacher, Governing Board, and Northumberland County Council (Local Authority) in ensuring all decisions are fair, lawful, and aligned with Department for Education (DfE) guidance.

- **Suspension:** The temporary removal of a pupil from school for disciplinary reasons for one or more fixed periods, up to a statutory maximum of 45 school days in any single academic year. (Lunchtime suspensions count as half a school day).
- **Permanent Exclusion:** The permanent removal of a pupil from the school roll in response to a serious breach or persistent breaches of the school's Behaviour Policy, where remaining in school would seriously compromise the education or welfare of pupils or staff.

Legal Framework & Related Policies

This policy complies with all statutory legislation and guidance, including:

- Education Act 2002 (as amended) and Education and Inspections Act 2006
- Equality Act 2010 and Children and Families Act 2014
- DfE Statutory Guidance: *Suspension and Permanent Exclusion from maintained schools, academies and pupil referral units in England*
- DfE *Behaviour in Schools* and *SEND Code of Practice: 0 to 25 years*

It operates in conjunction with Burnside Primary School's:

- Positive Behaviour & Relationships Policy
- Child Protection & Safeguarding Policy
- SEND & Inclusion Policy
- Anti-Bullying Policy
- Complaints Procedure

Roles and Responsibilities

The Headteacher

- Has the sole authority to suspend or permanently exclude a pupil on disciplinary grounds.
- Applies the civil standard of proof (*"on the balance of probabilities"*) when establishing facts.
- Considers contributing circumstances (e.g., bereavement, mental health, bullying) and gives the pupil an opportunity to present their version of events before reaching a decision.
- Ensures unlawful practices such as "off-rolling" or informal/unofficial exclusions (e.g., sending a pupil home to "cool off") never take place.
- Notifies parents immediately by telephone/in person, followed without delay by formal written notice detailing reasons, duration, representation rights, and education arrangements.
- Informs the Governing Board, Northumberland Local Authority, and (where applicable) the pupil's Social Worker and Virtual School Head (VSH) without delay for permanent exclusions, suspensions over 5 days in a term, or exclusions that cause a pupil to miss a national test.
- Organises suitable educational work to be set and marked during the first 5 days of any suspension.

The Governing Board

- Considers representations from parents regarding any suspension or exclusion.
- Must convene a meeting within **15 school days** of receiving notice to consider reinstatement if:
    - The exclusion is permanent.
    - The suspension brings the pupil's total suspended days to more than 15 in a single term.
    - The suspension or exclusion would result in the pupil missing a public examination or statutory assessment.
- Considers suspensions totaling between 6 and 15 school days in a term within **50 school days** if requested by parents.
- Applies the civil standard of proof (*balance of probabilities*) during review meetings.

- Secures full-time alternative education from the **6th school day** of any suspension.

Northumberland Local Authority (LA)

- Arranges suitable full-time education for permanently excluded pupils of compulsory school age from the **6th school day**.
- Arranges an Independent Review Panel (IRP) if requested by parents following the Governing Board's decision not to reinstate a permanently excluded pupil.
- Appoints a SEND expert to attend the IRP at the parents' request and covers associated costs.

Vulnerable Groups & SEND

The school will take proactive steps to avoid suspending or permanently excluding vulnerable pupils, particularly:

- Looked-After Children (LAC) and previously LAC
- Pupils with an Education, Health and Care Plan (EHCP) or identified Special Educational Needs and Disabilities (SEND)

Where a pupil with an EHCP is at risk of suspension or exclusion, the Headteacher will contact Northumberland Local Authority to consider an emergency interim annual review to assess provision and placement needs before exclusion is considered. A pupil will never be excluded simply because the school feels unable to meet their SEND.

Alternatives to Exclusion

Before considering exclusion, the Headteacher will evaluate all restorative and supportive alternatives, including:

1. **Off-Site Direction:** A time-limited placement at another educational setting or alternative provision to improve behavior, arranged in consultation with parents and reviewed regularly.
2. **Managed Move:** A planned, permanent transfer to another mainstream school initiated with the voluntary agreement of all parties (including parents and the receiving school) when deemed in the pupil's best interests. Managed moves are never conducted on a trial basis.

Governing Board Reinstatement Hearings

At a reinstatement meeting, the Governing Board can decide to:

1. **Decline to reinstate the pupil** (upholding the Headteacher's decision); or
2. **Direct reinstatement** immediately or on a specified date.

Parents may request that the meeting be held remotely, provided it can be conducted fairly and transparently. The Governing Board's decision and full reasoning will be communicated in writing to parents, the Headteacher, and Northumberland LA without delay.

Independent Review Panels (IRP)

If the Governing Board upholds a permanent exclusion, parents have the legal right to request an Independent Review Panel arranged by Northumberland Local Authority.

- **Deadline:** Parents must submit an application within **15 school days** of receiving written notice of the Governing Board's decision.
- **SEND Expert:** Parents have the statutory right to request the appointment of an independent SEND expert to advise the panel, regardless of whether the school formally recognizes the pupil as having SEND.
- **Outcome:** The IRP may uphold the decision, recommend that the Governing Board reconsiders reinstatement, or quash the decision and direct the Governing Board to reconsider.

Reintegration & Record Keeping

- **Reintegration Meeting:** Following any fixed-period suspension, the school will arrange a formal reintegration meeting with the pupil and parents to establish a positive transition plan, review support strategies, and reset expectations. (A pupil will not be prevented from returning to class if parents are unable to attend).
- **Removing from the Register:** A permanently excluded pupil will only be removed from the school admissions register after the 15-school-day appeal window has elapsed without an application, or once an IRP process and any required reconsideration have concluded.
- **Data Monitoring:** The Headteacher reports all suspension and exclusion data to the Governing Board termly to evaluate patterns, track interventions, and ensure equality of treatment across all pupil groups.

Monitoring and Review

This policy is reviewed **annually** by the Governing Board of Burnside Primary School and updated in line with statutory guidance from the Department for Education and Northumberland County Council.