Cabot Learning Federation

CLF Exclusions and Suspensions Policy template

Cabot Learning Federation v 8.0 December 2025

History of most recent Policy changes

Date	Page	Change	Origin of Change e.g. TU request, Change in legislation
Date	E.g. Whole Document	Detail of change	Reason for change
12th June 2017	Whole document	Implementation	Implementation of Federation wide policy
November 2017	Whole document	Review	New DfE guidance released
January 2020 V3.0	Items 6,7, 8 and 9	Equalities guidance added. Review to include guidance regarding clubs and wraparound care. Information added regarding risk assessments for vulnerable students	Cyclical review
April 2020 V3.2	Items 7.1 and 10.5	Information added regarding risk assessments and dealing with unforeseen academy closures	
June 2020 V3.3	Addendum	Addendum added outlining DfE guidance on exclusions during the Covid-19 pandemic	DfE Guidance released
Oct 2021 V4.0	Whole Document	Annual review Replacement of the term 'fixed term exclusion' with the term 'suspension'	
Oct 2022 V5.0	Whole Document	Annual review following updated DfE Guidance on Exclusions and Suspension	
Oct 2023 V6.0	Whole Document	Annual review following updated DfE Guidance on Exclusions and Suspensions	**DfE Guidance released**
Oct 2024 V7.0	Whole Document	Annual review following updated DfE Guidance on Exclusions and Suspensions	**DfE Guidance released**
Dec 2025 V8.0	Whole Document	Annual review of policy	

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1 Policy Statement

1.1 Frome Vale Academy is committed to being a fully accessible and inclusive organisation, welcoming and respecting the diversity of its students, staff, community and visitors to the school.

1.2 This policy is underpinned by the commitment of all at Frome Vale Academy to ensure the safety and well-being of the whole school community and to maintain an appropriate and safe educational environment in which all students can learn and achieve.

2 Reference to Other Policies

2.1 This policy will make reference throughout to the Academy's Behaviour policy which can be found on the website. The decision to suspend or permanently exclude a pupil must be made only after consideration is given to both this policy and the Behaviour Policy.

3 Data Protection

3.1 The academy will keep records of exclusions and suspensions in line with the Records Retention Policy. Anonymised data will be shared with the central team, Academy Council and board.

4 The Legal Position

4.1 Frome Vale Academy is part of the Cabot Learning Federation. The federation adheres to the statutory guidelines detailed within the Department for Education's paper 'Suspension and Permanent Exclusion from maintained schools, Academies and pupil referral units in England, including pupil movement' August 2024. All academies will also give due consideration to Keeping Children Safe in Education 2025

4.2 The principal legislation to which the Department for Education's 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; and

4.3 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. Any decision to permanently exclude or suspend a pupil must be lawful; rational; reasonable; fair and proportionate.

4.4 The Principal will ensure he /she is proceeding within the guidance set out within the Department for Education's paper 'Suspension and Permanent Exclusion from maintained schools, Academies and pupil referral units in England including pupil movement' August 2024.

4.5 The Principal will take account of their legal duty of care when sending a pupil home following permanent exclusion or suspension.

4.6 The Academy will only make lawful permanent exclusions and suspensions; students will not be sent home for part of a school day unless this is by way of a formal suspension or permanent exclusion.

4.7 The behaviour of pupils outside school can be considered as grounds for permanent exclusion or suspension.

4.8 The Principal will ensure appropriate investigations have been carried out, and that the pupil has been provided the opportunity to make a written statement.

4.9 When establishing the facts in relation to a permanent exclusion or suspension decision the Principal will apply the civil standard of proof; i.e. 'on the balance of probabilities' it is more likely than not that a fact is true, rather than the criminal standard of 'beyond reasonable doubt'.

4.10 Principals and Academy Councils will take account of their statutory duties in relation to special educational needs when administering the permanent exclusion and suspension process.

4.11 The Principal may withdraw an exclusion or suspension that has not been reviewed by the Academy Council. If this occurs, parents, the Academy Council and the local authority should be notified, and if relevant, the social worker and Virtual School Head.

5 Suspensions (previously called fixed-term exclusions)

5.1 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. Under the updated statutory guidance, Principals may no longer convert a suspension to a permanent exclusion. It may sometimes be appropriate for Principals to issue a further suspension or issue a permanent exclusion (both immediately after the original suspension), though this is limited to exceptional circumstances, usually where new information or evidence has come to light. This is a fresh decision and needs to be treated as such in terms of process, with parents informed without delay and a new suspension or exclusion notice issued.

5.2 Where a pupil has been suspended they should return to the academy on the first day after the fixed period of suspension expires. There should not be a delay in returning to school; academies must not refuse a student from attending while they are waiting for a return to school or re-integration meeting. This would be an illegal exclusion.

5.3 Pupils whose behaviour at lunchtime is disruptive may be suspended from the school premises for the duration of the lunchtime period; one lunchtime period is counted as a half school day for calculation purposes.

5.4 Where a pupil has received multiple suspensions or is approaching the legal limit of 45 days in an academic year; Principals will consider whether suspension is providing an effective sanction and will consider alternatives if appropriate.

5.5 It is important that during a suspension, pupils still receive their education. Principals should take steps to ensure that work is set and marked for pupils during the first five school days of a suspension. 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.

5.6 For a suspension of more than five school days, the academy (or local authority in relation to a pupil excluded from a PRU) must arrange suitable full-time education for any pupil of compulsory school age. This provision must begin no later than the sixth school day of the suspensions.

5.7 Informal or unofficial suspensions, such as sending a pupil home to 'cool off' or settle down, are unlawful, regardless of whether they occur with the agreement of parents or carers. Any suspension of a pupil, even for short periods of time, must be formally recorded.

6 Permanent Exclusions

6.1 A decision to exclude a pupil permanently can only be taken by the Principal:

- In response to serious or persistent breaches of the Academy's Behaviour Policy; and
- Where allowing the pupil to remain in school would seriously harm the education or welfare of the pupil or others in the school.

6.2 Principals should also take the pupil's views into account, considering these in light of their age and understanding, before deciding to permanently exclude (or suspend), unless it would not be appropriate to do so. They should inform the pupil about how their views have been factored into any decision made. Where relevant, the pupil should be given support to express their view, including through advocates such as parents or, if the pupil has one, a social worker. Whilst a permanent exclusion may still be an appropriate sanction, the Principal should also take account of any contributing factors identified after an incident of misbehaviour has occurred and consider paragraph 45 of the Behaviour in Schools guidance. For example, where it comes to light that a pupil has suffered bereavement, has mental health issues or has been subject to bullying.

6.3 The Academy will ensure early intervention is available to address underlying causes of disruptive behaviour, including an assessment of whether appropriate provision is in place to support any SEND that a pupil may have.

7 Cancelling a Permanent Exclusion or Suspension

7.1 The Principal may cancel any permanent exclusion or suspension that has already begun, but this should only be done where it has not yet been reviewed by the Academy Council. Where an exclusion is cancelled, then:

• Parents, the Chair of the Academy Council and the LA should be notified without delay and, if relevant, the social worker and Virtual School Head;

The Academy Council'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 18years or older)should be offered the opportunity to meet with the Principal to discuss the

circumstances that led to the exclusion being cancelled which should be arranged without delay;

• Schools should report to the Academy Council once per term on the number of permanent exclusions and suspensions which have been cancelled. This should include the circumstances and reasons for the cancellation enabling Academy Councils to have appropriate oversight and;

• The pupil should be allowed back into school:

• Any days spent out of school as a result of any exclusion, prior to the cancellation will count towards the maximum of 45 days permitted in any school year

8 Alternatives to Suspension and Permanent Exclusion

8.1 Suspensions and permanent exclusions will be given only where no other sanction is deemed appropriate.

8.2 Where an exclusion is permanent and is given for reasons of persistent breaches of the Academy Behaviour Policy, the Academy will demonstrate the means by which it has provided support and intervention to the pupil to address their individual needs. This may include (but is not limited to) a range of internal and external support, workshops, mentoring and counselling.

8.3 The Academy will, where appropriate, explore the possibility of off-site direction (see DfE Suspensions and Permanent Exclusion from maintained schools, academies and pupil referral units in England August 2024 for further detail) or a placement through suitable alternative internal provision and/or explore the possibility of a managed move to another CLF academy (or a non-CLF school) to avoid permanent exclusion. The threat of permanent exclusion will not be used as a means to encourage parents / carers to move their child to another school.

8.4 The nature of the intervention, its objectives, and the timeline to achieve these objectives should be clearly defined and agreed with the provider upfront. The plan should then be frequently monitored and reviewed. Pupils must continue to receive a broad and balanced education, and this will support reintegration into mainstream schooling. As well as having disproportionately high rates of exclusion, there are certain groups of pupils with additional needs who are particularly vulnerable to the impacts of exclusion. This includes pupils with EHC plans and looked after children. The Principal should, as far as possible, avoid permanently excluding any pupil with an EHC plan or a looked after child.

8.5 Where an academy has concerns about the behaviour, or risk of exclusion, of a child with additional needs, a pupil with an EHC plan or a looked after child, it should, in partnership with others (including the local authority as necessary), consider what additional support or alternative placement may be required. This should involve assessing the suitability of provision for a pupil's SEN. Where a pupil has an EHC plan, schools should consider requesting an early annual review or interim/emergency review.

9 Managed Moves

9.1 A managed move is used to initiate a process which leads to the transfer of a pupil to another mainstream school permanently. Managed moves should be voluntary and agreed with all parties involved, including the parents and the admission authority of the new school If a

temporary move needs to occur to improve a pupil's behaviour, then off-site direction should be used. Managed moves should only occur when it is in the pupil's best interests.

9.2 Where a pupil has an EHC plan, the relevant statutory duties on the new school and local authority will apply. If the current school is contemplating a managed move, it should contact the authority prior to the managed move. If the local authority, both schools and parents are in agreement that there should be a managed move, the local authority will need to follow the statutory procedures for amending a plan.

9.3 Managed moves should be offered as part of a planned intervention. The original school should be able to evidence that appropriate initial intervention has been carried out, including, where relevant, multi-agency support, or any statutory assessments were done or explored prior to a managed move.

9.4 The managed move should be preceded by information sharing between the original school and the new school, including data on prior and current attainment, academic potential, a risk assessment and advice on effective risk management strategies. It is also important for the new school to ensure that the pupil is provided with an effective integration strategy.

9.5 If a parent believes that they are being pressured into a managed move or is unhappy with a managed move, they can take up the issue through the school's formal complaints procedure with the governing board and, where appropriate, the local authority.

9.6 Ofsted will consider any evidence found of a parent being pressured into a managed move that has resulted in off-rolling and is likely to judge a school as inadequate on the basis of such evidence.

10 Equality

10.1 The decision to suspend or exclude a pupil must be lawful, reasonable and fair. Schools have a statutory duty not to discriminate against pupils on the basis of protected characteristics, such as disability or race. Schools should give particular consideration to the fair treatment of pupils from groups who are vulnerable to exclusion.

10.2 An Equality Impact Assessment has been carried out and the outcome is available from the Corporate Services team or HR team.

10.3 The Principal and Academy Council must comply with their statutory duties in relation to SEN when administering the suspension or exclusion process. This includes having regard to the SEND Code of Practice.

10.4 It is unlawful to suspend or exclude a pupil for a non-disciplinary reason. For example, it would be unlawful to exclude a pupil simply because they have additional needs or a disability that the

school feels it is unable to meet, or for a reason such as: academic attainment/ability; the action of a pupil's parents; or the failure of a pupil to meet specific conditions before.

10.5 The academy should ensure that the behaviours exhibited that lead to the sanction are not a key feature of their disability. Any sanction given, including suspension or permanent exclusion, must be a considered and proportionate response.

10.6 Non-statutory advice from the Department for Education is available to help schools to understand how the Equality Act affects them and how to fulfil their duties under the Act and can be downloaded at the following link:

https://www.gov.uk/government/publications/equality-act-2010-advice-for-schools

10.7 The SEND code of practice can be found here:

https://www.gov.uk/government/publications/send-code-of-practice-0-to-25

11 Risk Assessment

11.1 When a student is to be suspended or excluded, the academy will consider if a risk assessment is appropriate given the circumstances of the student. This decision, and the reasons for it, should be recorded.

11.2 If such a risk assessment is deemed appropriate, the academy should complete a risk assessment that considers what is happening for the student when they are not in the academy – e.g. consideration around safeguarding (including contextual safeguarding risks) and the health and wellbeing of the student. Where necessary the academy should consider if it is able to mitigate any of the risks that emerge. This should include, where appropriate, the Academy safeguarding team contacting any external agencies working with the child, such as Social Care and Youth Offending Teams, in order to inform them of the suspension and better safeguard the child.

12 Pupils who have a social worker, including looked-after children, and previously looked-after children

12.1 For the majority of children who have a social worker, this is due to known safeguarding risks at home or in the community: over half are in need due to abuse or neglect. For children with a social worker, education is an important protective factor, providing a safe space for children to access support, be visible to professionals and realise their potential. When children are not in school, they miss the protection and opportunities it can provide, and become more vulnerable to harm. However, Principals should balance this important reality with the need to ensure calm and safe environments for all pupils and staff, so should devise strategies that take both of these aspects into account.

12.2 Where a pupil has a social worker, e.g., because they are the subject of a Child in Need Plan or a Child Protection Plan, and they are at risk of suspension or permanent exclusion, the Principal should inform their social worker, the Designated Safeguarding Lead (DSL) and the pupil's parents to involve them all as early as possible in relevant conversations.

12.3 Where a looked-after child (LAC) is likely to be subject to a suspension or permanent exclusion, the Designated Teacher (DT) should contact the local authority's VSH as soon as possible. The VSH, working with the DT and others, should consider what additional assessment and support

need to be put in place to help the school address the factors affecting the child's behaviour and reduce the need for suspension or permanent exclusion. Where relevant, the school should also engage with a child's social worker, foster carers, or children's home workers.

12.4 All looked-after children should have a Personal Education Plan (PEP) which is part of the child's care plan or detention placement plan. 32 This should be reviewed every term and any concerns about the pupil's behaviour should be recorded, as well as how the pupil is being supported to improve their behaviour and reduce the likelihood of exclusion.

12.5 Where previously looked-after children face the risk of being suspended or permanently excluded, the school should engage with the child's parents and the school's DT. The school may also seek the advice of the VSH on strategies to support the pupil.

13 Consideration of wraparound care and clubs or other activities before or after school

13.1 In the event of a suspended or excluded child being registered to attend breakfast club or an after school club, (where that provision is run by the school), the suspension or exclusion would also cover attendance at that club or activity. This would also be the case where a third party provider runs the club, if it takes place within the academy grounds. The suspension or exclusion letter that is sent to the parent/carer should make this clear.

14 Reporting the Suspension or Exclusion

14.1 The Principal will, without delay, notify the parents / carers of the period of the suspension or exclusion.

14.2 The Principal must write to the parents / carers stating:

- The reasons for the suspension or exclusion;
- That it extends to breakfast or after school clubs and activities (where relevant to the student);
- The period of a suspension or confirmation that an exclusion is permanent;
- Parents / carer's rights to make representations about the suspension or exclusion to the Academy Council in line with the Department for Education's guidance 'Exclusion from maintained schools, Academies and pupil referral units in England' 2023;
- How any representation should be made;
- Where the Academy Council Disciplinary panel meet to review the suspension or exclusion, the parents /carers right to attend the meeting; be represented (at their own expense); or bring a friend.

14.3 The Principal will set out what arrangements have been made to enable the pupil to continue their education prior to the start of any alternative provision or the pupil's return to the Academy.

14.4 Where a suspended or excluded pupil is of compulsory school age, the Principal will notify the parents / carers without delay, and by the end of the afternoon session:

- That for the first five school days of the suspension or exclusion parents / carers are legally required to ensure that their child is not present in a public place during school hours without reasonable justification, and that parents / carers may be given a fixed penalty notice or prosecuted if they fail to do so.

14.5 Where it is necessary for a parent/carer to bring a suspended or excluded student to the academy to take a sibling to school, the suspended or excluded child should not enter the playground or academy site. Arrangements may need to be made for a member of academy staff to meet the parent/carer at the academy gate.

14.6 The Principal will include in the notification relevant sources of free and impartial information as set out in the Department for Education's guidance 'Exclusion from maintained schools, Academies and pupil referral units in England' 20 24

14.7 The Principal will ensure information provided to parents /carers is clear and easily understood. Where the parents' first language is not English, consideration will be given, where practical, to translating the letter or taking additional steps to ensure that the details of the suspension or exclusion and their right to make representations to the Academy Council have been understood. This may include the use of an interpreter and or a meeting between the academy and parent/carer.

14.8 The Principal will, without delay, notify the Academy Council and the local authority of:

- A permanent exclusion;
- Suspensions which would result in the pupil being suspended for more than five school days in a term;
- Suspensions or exclusions which would result in the pupil missing a public examination or national curriculum test.

14.9 For all other suspensions or exclusions, the Principal will notify the local authority and Academy Council once a term.

14.10 Notifying the Local Authority of Permanent Exclusions and Suspensions

14.10.1 The Principal will, without delay, notify the Local Authority of all permanent exclusions and suspensions.

14.10.2 For a permanent exclusion, if the pupil lives outside the local authority area in which the school is located, the Principal must also notify the pupil's 'home authority' of the permanent exclusion and the reason(s) for it without delay.

15 Notifications must include the reason(s) for the suspension or permanent exclusion and the duration of any suspension or, in the case of a permanent exclusion the fact that it is permanent. Board and Academy Council's Responsibilities

15.1 The board are responsible for approving this policy. The Academy Council is responsible for monitoring the implementation and effectiveness of this policy.

15.2 Academy Council has a duty to consider parents' representations about a suspension or permanent exclusion. The requirements on the Academy Council depend upon a number of factors determined in the Department for Education's paper 'Exclusion from maintained schools, Academies and pupil referral units in England' 2024.

15.3 The Academy Council may delegate their functions with respect to the consideration of a suspension or permanent exclusion decision to a designated sub-committee consisting of at least three Academy Councillors from any CLF academy.

15.4 The Academy Council must consider the reinstatement of a suspended or permanently excluded pupil within 15 school days of receiving notice of the suspension or exclusion if:

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

15.5 The Academy Council or designated sub-committee must review the suspension or permanent exclusion in line with the statutory guidance contained in the Department for Education's paper 'Exclusion from maintained schools, Academies and pupil referral units in England' 2024

15.6 Where it is necessary to close an academy, or all academies in the trust, due to local or national incidents, every effort will be made to hold the Academy Council review, which may include using video conferencing and or other electronic means if deemed appropriate, and in line with the DfE Guidance 'Exclusions from maintained schools, academies and pupil referral units in England (Sept 2024)', and in full consultation with the parent/carer.

15.7 The following parties must be invited to a meeting of the Academy Council and allowed to make representations:

- Parents or carers;
- Social workers or VSH where appropriate (see DfE Guidance on Suspensions and Permanent Exclusions in maintained schools, academies and pupil referral units in England August 2024, for information on the social worker or VSH's role in the meeting)
- The pupil (where appropriate)

- The Principal;
- A representative of the local authority.

15.8 The Academy Council can either:

- Decline to reinstate the pupil;
- Direct reinstatement of the pupil immediately or on a particular date.

15.9 The Academy Council must notify parents, the Principal and the local authority of their decision, and the reasons for their decision, in writing and without delay. The notification should include specific information as outlined in the Department for Education's paper 'Exclusion from maintained schools, Academies and pupil referral units in England' 2024.

15.10 Parents / carers have the right to ask for the decision to be reviewed by an independent review panel. Any such request will be dealt with by the Clerk to the Board.

15.11 Reinstatement meetings and IRPs can be held via the use of remote access for suspension and permanent exclusions if requested by parents. However, meetings held via the use of remote access should not be a default option and fact to face meetings are always encouraged. Holding meetings via remote access must only be done if governing boards or the arranging authority is satisfied the meeting can be held fairly and transparently

15.12 If a governing board meets to consider and decide on reinstatement of a suspended or permanently excluded pupil either face to face or via the use of remote access, this must happen within 15 school days of receiving notice of a suspension or permanent exclusion from the headteacher.

15.13 If an IRP meeting is to be held face to face or via the use of remote access, the local authority/academy trust must take reasonable steps to identify a date for the review that all parties, and any SEN expert appointed to give advice, are able to attend or join. The review must begin within 15 school days of the day on which the parent's application for a review was made (panels have the power to adjourn a hearing if required)

15.14 Where a parent does not request a remote meeting or does not state a wish either way, governing boards and arranging authorities must hold the meeting in person unless it is not reasonably practicable to do so in person for a reason related to extraordinary events or unforeseen circumstances such as an unforeseen school closure due to floods, fire or outbreak of infectious illness/disease.

15.15. If there are technological or internet network issues, during a meeting held via the use of remote access which compromises the ability for participants to be seen or heard or prevents the meeting from being held fairly and transparently and it is not reasonably practicable to resolve, a face to face meeting must be arranged by the governing board, despite the parents request. This should be done without delay.

15.16 Social workers and VSHs must be allowed to join a meeting via the use of remote access, regardless of the format chosen, as long as the governing board (for a governing board meeting) or arranging authority (for an IRP) are satisfied that they will be able to participate effectively, they can hear and be heard (and see and be seen if participating by video) throughout the meeting, and their remote participation will not prevent the meeting being fair and transparent.

16 Academy Admissions Register

16.1 The Principal will remove a pupil's name from the Academy admissions register if:

- 15 school days have passed since the parents were notified of the Academy Council's decision to decline to reinstate the pupil following a permanent exclusion 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.

16.2 Where an application for an independent review panel has been made within 15 school days, the Principal will wait until the review has been determined, or abandoned, before removing a pupil's name from the register.