

TKS Suspensions and Exclusions Policy

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1. Aims

At TKS, we are committed to following all statutory exclusions procedures to make sure that every child receives an education in a safe and caring environment.

This policy aims to:

- Build on our whole-school approach to maintaining high standards of behaviour that reflect the Biblical values of the school
- Make sure that pupils in school are safe and happy
- Make sure that the suspensions and exclusion processes are applied fairly and consistently
- Make sure all suspensions and permanent exclusions are carried out lawfully
- Help governors, staff, parents/carers and pupils understand the exclusions process

Any suspension or exclusion will be made on disciplinary grounds, and will not be made:

- Because a pupil has special educational needs and/or a disability (SEND) that the school feels unable to support
- Due to a pupil's poor academic performance, or
- Because the pupil hasn't met a specific condition, such as attending a reintegration meeting

2. Legislation, Statutory Requirements and Statutory Guidance

This policy is based on statutory guidance from the Department for Education on: [Suspension and permanent exclusion from maintained schools, academies and pupil referral units in England, including pupil movement](#)

It is also 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 Equality Act 2010](#)
- [Keeping Children Safe in Education](#)
- [Special Educational Needs and Disability \(SEND\) Code of Practice.](#)
- [Education \(Independent School Standards\) Regulations 2014](#); Schedule 1: para 7, para 9, para 10

3. 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 admission register

Parent/carer - any person who has parental responsibility and any person who has care of the child

Managed move – when a pupil is transferred to another school permanently. All parties, including parents/carers and the admission authority for the new school, should consent before a managed move occurs.

4. Suspension and Permanent Exclusion

As a measure of last resort, the school reserves the right to suspend or to exclude a pupil, or to ask parents to remove him or her from school, in any of the following circumstances:

- (a) If allowing the pupil to remain in school would seriously harm the education or welfare of the pupil or others in the school;
- (b) Serious actual or threatened violence, sexual abuse or assault occurs;
- (c) Illegal drugs, tobacco, alcohol or an offensive weapon have been brought on to the premises;
- (d) There had been serious misconduct towards a member of the school community, or which brings the school into disrepute on or off school premises;
- (e) In response to a serious breach (or continued minor breaches) of this policy or of any other school expectations;
- (f) If the pupil's work rate or attendance or conduct (including behaviour or conduct outside school), or any combination of these, are deemed unacceptable;
- (g) In the reasonable opinion of the School Leadership Team, and with the Principal's agreement, conduct is such that exclusion is the appropriate response.
- (h) If the suspension or exclusion is believed to be in the school's best interests or those of the pupil concerned or of other pupils.

4.1 Depending on the circumstances, a pupil could be given:

-An internal suspension (in-school, supervised time out of class)

-An external suspension

This could be for up to five days, at the discretion of the Head / Principal due to the circumstances.

Following a suspension, the child and parent(s) will be asked to come to a reintegration meeting with the Class Teacher / Tutor and Head to seek to restore relationship.

4.2 A permanent exclusion

As the ultimate sanction, permanent exclusion will generally have been preceded by efforts to rectify the issues causing concern and by appropriate warnings to the pupil and to his or her parents or carers.

4.3 An immediate exclusion

The school may, however, find itself obliged to exclude a pupil or to require them to be removed immediately and without prior warning for a first or 'one-off' offence in instances of very serious misconduct or where it is believed that the pupil's continued presence in school may present a risk to others and/or bring the school into disrepute.

The school will always endeavour to act fairly and to take all relevant circumstances into consideration when deciding whether to a pupil must be suspended, removed or excluded and will, wherever possible and appropriate, consult with parents before the decision is taken.

If a decision is made to suspend or exclude a pupil then parents will be informed of the period of the suspension or exclusion and the reason(s) for it in writing.

If a pupil is to be permanently excluded the following procedure is followed:

- The child is initially suspended from school
- The reason for permanent exclusion is communicated to the parents
- A period of five days is then offered to investigate if there is an alternative to permanent exclusion
- If no alternative can be agreed upon after five days, then the permanent exclusion will be implemented

The Chair of Governors will be informed of any suspension or exclusion. The school will keep a record of the suspension or exclusion on Bromcom, including i) date of the suspension or exclusion; ii) name of pupil and parent; iii) brief statement of issues; iv) reference to staff members involved; v) brief statement of outcome of any review and / or follow up. Once the decision has been made to exclude a pupil, the school will ensure communication with the onward education provider (and County Council where appropriate).

The principal, in conjunction with the Head, may cancel a suspension or permanent exclusion that has already begun.

4.4 Review

If parents/carers are unhappy with a decision to exclude a pupil, they may ask the school to review it.

- a. The parents or carers have a right to ask for a review of a decision to exclude a pupil, but this must be done in writing to the Chair of Governors. It must clearly state the reason why a review is required and the outcome which they seek. This must be received within three working days of the school's written decision to exclude the pupil.
- b. A review panel will be formed by the Chair of Governors and if a meeting is requested, those involved will be:
 - i. the principal and one other member of Staff;
 - ii. the parents or carers;
 - iii. the Review Panel (this is made up of two Governors, neither of whom have detailed knowledge of the case, or of the child or parents / carers). The Chair of the panel has discretion to conduct the meeting either with all parties present or with one party at a time.
- c. The parents may be accompanied by a friend or relation, but 7 days' notice must be given to the Chair of Governors if the friend or relation is legally qualified. Parents should inform the Chair in writing within three working days of the Review of the identity of the person accompanying them, if any.
- d. The meeting will take place in school, usually between 3-10 school days after the parents' application for review has been received. A review will not normally take place during the school holidays.
- e. All those involved in the meeting are required to keep its proceedings confidential. Minutes will be taken.
- f. It is the hope that at this stage the Chair of the Review Panel will be able to conclude the matter. All those present will have a reasonable opportunity of asking questions and making appropriate comment.
- g. All are expected to show courtesy, restraint and good manners. Parents will be issued with a copy of the School Community Behaviour Policy and conduct is expected to remain in line with this.
- h. If the meeting is initiated with all parties present but the Chair decides at any point in proceedings that the meeting would be better conducted with only one party present at any one time, the Chair has authority to take this decision at any stage.
- i. The Chair, may, at their discretion, adjourn or terminate the meeting. If the meeting is terminated, the original decision will stand.

- j. If the parents are dissatisfied with any aspect of the meeting, they must inform the Chair of the Review Panel at the time and ask that their dissatisfaction and their reasons for it should be minuted.
- k. The role of the Review Panel is to listen to both sides, consider whether the Head and Principal's decision was fair and proportionate and in accordance with school policy, and decide whether to uphold the decision or refer the matter back to the principal for reconsideration together with recommendations.
- l. The panel will notify the principal and the parents of the outcome in writing with reasons and any recommendations, usually within three school days of the meeting. The principal will provide a written response to such recommendations normally within 48 hours and, in the absence of significant procedural irregularity, the principal's decision will be final.
- m. The school will make reasonable adjustments where the parents and/or the pupil inform the Chair ahead of the Review meeting that they have a disability.

5. Adapting sanctions for pupils with SEND

When considering a behavioural sanction for a pupil with SEND, the school will take into account:

- Whether the pupil was unable to understand the rule or instruction;
- Whether the pupil was unable to act differently at the time because of their SEND;
- Whether the pupil is likely to behave aggressively due to their (specific) SEND.

If the answer to any of these questions is yes, it may be unlawful for the school to sanction the pupil for the behaviour.

The school will then assess if it is appropriate to use a sanction and if so, whether any reasonable adjustments need to be made to the sanction.

5.1 Considering whether a pupil displaying challenging behaviour may have unidentified SEND

The school's special educational needs co-ordinator (SENDCo) may evaluate a pupil who exhibits challenging behaviour to determine whether they have any underlying needs that are not currently being met.

Where necessary, support and advice will also be sought from specialist teachers, an educational psychologist, medical practitioners and/or others, to identify or support specific needs. Parents will be asked to privately fund these services if they are not provided by the NHS.

When acute needs are identified in a pupil, we will liaise with external agencies and plan support programmes for that child. We will work with parents to create the plan and review it on a regular basis.

5.2 Pupils with an education, health and care (EHC) plan

The provisions set out in the EHC plan must be secured and the school will co-operate with the local authority and other bodies. If the school has a concern about the behaviour of a pupil with an EHC plan, it will contact the local authority to discuss the issue. If appropriate, the school may request an early review of the EHC plan.

6. Supporting Pupils Following a suspension or exclusion

Following a sanction, the school will consider strategies to help pupils to understand how to improve their behaviour and meet the expectations of the school, working closely with parents in line with our TKS Parent School Partnership agreement. Class Teachers (Primary) and Tutors (Secondary) will be primarily responsible for supporting pupils.

7. Monitoring Arrangements

7.1 Monitoring and evaluating the Suspensions and Exclusions Policy

The school will collect data on suspensions and exclusions as part of its monitoring and evaluation process on:

- Behavioural incidents (Level 3 or above);
- Attendance, permanent exclusion and suspension;
- Incidents of searching, screening and confiscation;
- Anonymous surveys for staff, pupils, parents and governors on their perceptions and experiences of the school behaviour culture through the annual surveys.

The data will be analysed every half term by the School Leadership Team.

The data will be analysed from a variety of perspectives including at school level; by age group; at the level of individual members of staff; by time of day/week/term; by protected characteristic. The school will use the results of this analysis to make sure it is meeting its duties under the Equality Act 2010. If any trends or disparities between groups of pupils are identified by this analysis, the school will review its policies to tackle it.

7.2 Reviewing this policy

This policy will be reviewed by the School Leadership Team and Governing Body annually, or more frequently, if needed, to address findings from the regular monitoring of the behaviour data (as per section 7.1). At each review, the policy will be approved by the Governing Body.

8. Links with other policies

This policy is linked to the following policies:

- Behaviour Policy
- SEND Policy
- Mobile phone policy
- Safeguarding Policy
- Restrictive Interventions, including the use of Reasonable Force