



**Policy:** Exclusion

**Policy reference no:** 036

**Date:** September 2025

**Person responsible for policy:** Stephen Dean, Chief Executive Officer

**Authorised by:** Board of Trustees

**Review date:** December 2027

This Policy applies to all academies within the Primary QuEST Multi-Academy Trust. Primary QuEST is a Church of England Trust which seeks to ensure all pupils flourish, together in a supportive and caring environment.

### **Flourishing Together Through LIFE**

#### **Overview**

#### **Key responsibilities**

##### **Headteacher**

- The power to exclude resides with the Headteacher who will follow the school behaviour policy.

##### **Local Advisory Boards**

- A sub-committee of the Local Advisory Boards will perform the key role of determining whether an excluded pupil should be reinstated. This will involve reviewing the decision of the Headteacher and considering the outcome of any independent review panel hearing.

##### **Academy Trust**

- Where requested by a parent, Primary QuEST will need to arrange an independent review panel to consider the decision of a Local Advisory Board to uphold a permanent exclusion.
- Panel members will need to be trained in how to perform their role.
- Primary QuEST will also need to appoint a special educational needs expert to advise the panel, where requested by a parent.

## Reasons for exclusion/ suspension

Underpinning the policy is the need to ensure the safety and well-being of all members of the school community and to maintain a safe and happy environment in which all can learn and succeed. Academies within the Trust will try to reduce the need to use exclusion or suspension as a sanction.

The decision to exclude will be taken in the following circumstances:

- In response to a serious breach of the Trust's Behaviour Policy
- If allowing the pupil to remain in school would constitute a risk to the education and welfare of students or others in the academy.

Exclusion is an extreme sanction and will only be administered by the Headteacher, or in his/her absence by another senior colleague. Any permanent exclusion would be based upon a thorough investigation and consideration by the Headteacher. Any decision to exclude taken by the academy must be made according to the principles of administrative law and it must be lawful, rational, reasonable and proportionate.

Exclusion, whether fixed term or permanent, may be used for any of the following examples of unacceptable conduct:

- Verbal abuse to staff and others
- Verbal abuse to students
- Physical abuse to/attack on staff
- Physical abuse to/attack on students
- Indecent behaviour
- Damage to property, including arson
- Misuse of illegal drugs or other substances
- Theft
- Serious actual or threatened violence against another student or member of staff
- Sexual abuse or assault
- Supplying an illegal drug
- Carrying an offensive weapon
- Unacceptable behaviour which has previously been reported and for which sanctions have been unsuccessful
- Persistent disruptive behaviour

This list is not exhaustive and there may be other cases where a Headteacher feels exclusion is justified.

## Details of the Exclusion Process

### What does suspension mean?

This means that a child is not allowed to attend school. Suspension is usually the result of a particularly serious incident or a series of incidents. The Headteacher must tell parents/carers in writing how long the exclusion is for and the reasons for it. As long as the suspension lasts, the child concerned must not enter the school grounds or use school transport services and parents are responsible for supervising their child during school time. Parents should ensure that their child does not hang around the school gates, even to meet friends after school.

- **Suspension** - last for a specific number of days but cannot be longer than 45 days in the school year.
- **Exclusion** - means that a child may not be allowed to go back to the school again, unless they are reinstated by a meeting of the Local Advisory Board.

**Unofficial** - indefinite period or 'cooling off' periods of suspension from school have no legal status. Schools must not use such sanctions and must follow the correct procedures as described in ***Behaviour and Attendance: guidance on exclusions from schools and pupil referral units August 2024***

### **Who can suspend or exclude a child from school?**

Normally, only the Headteacher can exclude a pupil. However, if the Headteacher is absent from school, the matter should be referred to the Chief Executive Officer.

### **Who can parents talk to about a fixed period suspension?**

The Headteacher and the staff of the school should use the period of suspension to plan for the successful reintegration of their child. It would be sensible for parents/ carers to discuss with the Headteacher what they can do to help.

The school should hold a reintegration meeting, usually at the start of the first day back after suspension, which the parent/carer should make every effort to attend and join in. A parent/carer's failure to attend a reintegration meeting will be one factor taken into account by a magistrates' court when deciding whether to impose a parenting order, if at any future date a parenting order has been applied for by the school or local authority. However, the Headteacher must allow a child to start back at school once the suspension has finished even if the parent/carer is unable or does not want to attend the meeting.

### **What happens to a child's education during the suspension?**

During the suspension, school staff must still set and mark work for the first five days. The Headteacher will explain the arrangements for collecting it and handing it in. If a child is due to sit a public exam, during the suspension, this should not be affected. If the fixed period suspension is for more than five days, the school or local authority must make arrangements for the pupil's full-time education from the sixth day onwards.

If a child has been permanently excluded, the academy is still responsible for setting and marking work for the first five days. Gloucestershire County Council has responsibility for providing full time education from the sixth day.

If a child is due shortly to sit public exams and the Headteacher considers that these should not be taken in the academy from which he or she has been permanently excluded, it will be necessary to make alternative arrangements.

### **What are the entitlements of a parent or carer? Can they appeal against a child's exclusion/suspension?**

There are a number of steps which the academy has to take.

- The parent/carer must be informed immediately, ideally by telephone.
- Within one day, the Headteacher must inform the parent/carer by letter that their child has been excluded, the type of exclusion and the reasons for it. The letter should also state the date that the child can return to school and the time of the reintegration meeting.
- The Headteacher must notify Gloucestershire County Council and the Local Advisory Board, of the child's suspension for any fixed period suspension over five days or a permanent exclusion.
- The Headteacher's letter tells the parent/carer that they have the right to make representations to the Chair of the Local Advisory Board about the decision to suspend or exclude a child. If the parent/carer wishes to state their case to the Local Advisory Board, the Clerk to the Board has the discretion to arrange a meeting for fixed period suspensions up to five days and the parent/carer may be invited to attend.
- If the suspension is for between 5 and 15 days and the parent/carer wish to make

representations to the Local Advisory Board, the Clerk must call a meeting.

- The parent/carer is entitled to receive a copy of any report which is provided to the Local Advisory Board at its meeting to consider the suspension.
- The parent/carer has the right to have any letters, documents or reports to be translated into another language if needed.

## **Appeal Process**

The process for challenging a school's decision to exclude a pupil permanently resides with independent review panels.

Where requested by a parent, a SEND expert will need to be appointed by the Academy Trust to advise the independent review panel.

The independent review panel will be able to uphold the decision to exclude a pupil permanently; recommend that the Local Advisory Board reconsider its decision; or direct the Local Advisory Board to reconsider its decision. A direction to reconsider will be limited to circumstances where a panel decides that the school has acted illegally, irrationally or where there are significant flaws in procedure.

Where a Local Advisory Board decides not to offer to reinstate a pupil following a direction from a panel to reconsider its decision, the panel will be expected the Headteacher to provide alternative provision recommendations for parents.

Where a parent alleges discrimination (under the Equality Act 2010) in relation to a fixed period suspension or permanent exclusion, they will also be able to make a claim to the First-tier Tribunal (for disability discrimination) or a County Court (for other forms of discrimination). Academies will also refer to the Virtual School for Children in Care Protocol for Eliminating Exclusions of Children in Care.

## **What is the purpose of the Local Advisory Board meeting?**

### **Who will attend?**

The Local Advisory Board (or a sub-committee of 3 members from the LAB) must decide at its meeting whether or not it agrees with the Headteacher's decision to exclude a child. If they do not agree, they must direct reinstatement – in other words, instruct the Headteacher to allow the child to return to school. If the suspension is for fewer than five days in the term, the Local Advisory Board may only consider the parent/carer's views; it has no power to direct the school to reinstate.

The parent/carer will be invited to attend the meeting, the Headteacher and a Primary QuEST representative will also be present. The parent/carer should make every effort to attend and may take along a friend or advocate. If a child has a statement of special educational needs or additional needs, the parent/carer may wish to get support from Gloucestershire County Council and can also send a written statement or other evidence for the Local Advisory Board to consider.

### **Can a child attend the meeting?**

There are no hard and fast rules and the parent/carer's wishes will be taken into account by the Local Advisory Board. If the parent/carer feels that the child should also attend, this request should be made as soon as possible directly to the Clerk of the Board. The Board will normally allow the child to attend and to speak if it is requested.

### **What happens at the meeting?**

The Headteacher's written report and any written statements or letters will be circulated before the meeting to everybody who will be attending.

At the meeting, the Chair of the Local Advisory Board (or delegated advisor) will introduce everybody and invite the Headteacher to outline the reasons for excluding the child. The parent/carer will be able to ask questions of the Headteacher and of other witnesses who may give information at the meeting. After that, the parent/carer and child, if they attend, will be able to put their case. The parent/carer should be prepared to answer questions from the Headteacher and Local Advisory Board about their case.

Local Board can seek guidance from GCC in general terms, for example, how other schools in the area have dealt with similar incidents. They can also draw the attention of the Board to issues where there is a lack of clarity or where more information may be needed or where guidance appears to have been ignored. They will not comment on the appropriateness of an individual exclusion.

When the Board has heard all the information, the parent/carer and the Headteacher will be asked to sum up. The parent/carer will all be asked to withdraw while the Board makes its decision.

### **How will the parent/carer hear about the Board's decision?**

Normally the decision will be made by the Local Advisory Board at the end of the meeting. The parent/carer will also receive a letter from the Clerk within one school day of the meeting, which sets out the decision and the reasons for it.

In the case of a permanent exclusion, a fixed period suspension of more than five days, or any exclusion where the pupil loses the opportunity to take a public examination, the decision will state whether a child should be reinstated to the academy. If the Board agrees that a child should be reinstated, the parent/carer will be told the date on which they can return the academy. No conditions may be attached to this decision.

### **What happens if the Local Advisory Board decides not to reinstate the child after a permanent exclusion?**

If the Local Advisory Board decides that a child should not return to school, the parent/carer has the right to appeal to the independent review panel from the Trust Board of trustees. If a parent/carer decides to appeal, they must do so within 15 school days of the date on which they receive the decision letter from the Local Advisory Board.

### **What happens if a child remains permanently excluded at the end of this procedure?**

The child cannot return to the same academy the Inclusion team from Gloucestershire County Council will contact the parent/carer to discuss what should happen next and will explain the procedures for educating the child and work with the parent/carer to find an alternative placement.

### **Biblical underpinning for Church of England schools**

There is an element of betrayal of Christ's and his community here; something every Christian knows with sorrow. Here are actions outside the control of a hospitable community.

John 12. 21-30

"On the night he was betrayed... Judas accepted the bread and went into the night".

(Good News Bible)