

# Suspensions and Exclusions Policy



ST CLARE

Catholic Multi Academy Trust



# EMMAUS

Catholic and Church of England Academy

*'Walking with Jesus as we learn'*

Approved by Emmaus LAC:

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May 2026

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May 2029

## Suspensions and Exclusions Policy

Status	Live
Policy Author	Simon Collis/ Michael Heselton
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Review Period	3 years
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Next Review Date	By 31 <sup>st</sup> July 2029
Version	1.0
Advisory Committee	LAC
Linked Documents and Policies	

This policy shall be reviewed in accordance with the above review date or earlier should there be a legal requirement, business requirement or any collective agreement that necessitates a change.

## **1. Aims**

Our school aims to ensure that:

- The exclusions and suspensions process is applied fairly and consistently.
- The exclusions and suspensions process is understood by governors, staff, parents and pupils
- Pupils in school 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 (DfE): [Suspension and permanent exclusion from maintained schools, academies in England, including pupil movement](#) and DfE guidance [Behaviour in schools: advice for headteachers and school staff](#).

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

- [Section 52](#) of the Education Act 2002, as amended by the [Education Act 2011](#)
- [The School Discipline \(Pupil Exclusions and Reviews\) \(England\) Regulations 2012](#)
- [Sections 64-8](#) of the School Standards and Framework Act 1998

In addition, the policy is based on:

- [Part 7, Chapter 2](#) of the Education and Inspections Act 2006, which looks at parental responsibility for excluded pupils
- [Section 579](#) of the Education Act 1996, which defined 'school day'
- 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](#).

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

## **3. The decision to suspend or exclude**

Only the headteacher, or acting headteacher, can suspend or exclude a pupil from school. A permanent exclusion will be taken as a last resort.

Our school is aware that off-rolling is unlawful. Ofsted ([2019](#)) defines off-rolling as, 'the practice of removing a pupil from the school roll without a formal, permanent exclusion or by encouraging a parent to remove their child from the school roll, when the removal is primarily in the interests of the school rather than in the best interests of the pupil.'

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

A decision to suspend or exclude a pupil will only be taken:

- In response to a single serious or persistent breaches of the school's behaviour policy, and
- If allowing the pupil to remain in school would seriously harm the education or welfare of others.

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

- Consider all relevant facts and evidence, including whether the incident(s) that lead up to the exclusion were provoked.
- Allow the pupils to give their version of events
- Consider whether the pupil has special educational needs (SEN).

#### **4. Definition**

For the purposes of suspensions, a 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. Roles and responsibilities**

##### **5.1: The Headteacher**

###### 5.1.1: Informing parents or carers

The headteacher will provide the following information, in writing, to the parents or carers of a suspended or excluded pupil:

- The reason(s) for the suspension or exclusion
- The length of a fixed-term suspension or, for a permanent exclusion, the fact that it is permanent
- Information about parent or carers' rights to make representations about the suspension or exclusion to the local academy committee (LAC) and how the pupil may be involved in this
- Where there is a legal requirement for the LAC to meet to consider the reinstatement of a pupil, and that parents or carers have a right to attend a meeting, be represented at a meeting (at their own expense) and to bring a companion.
- That for the first 5 school days of a suspension or exclusion, or until the start date of any alternative provision (where this is earlier), parents or carers are legally required to ensure that their child is not present in a public place during the school day without a good reason. Parents or carers may be given a fixed penalty notice or prosecuted if they fail to comply with this.

If alternative provision is being arranged, the following information will be included when notifying parents or carers of a suspension or exclusion:

- The start date for any provision of full-time education that has been arranged
- The start and finish times of any such provision, including the times for morning and afternoon sessions, where relevant
- The address at which any provision will take place

- Any information required by the pupil to identify the person they should report to on the first day.

Where information on alternative provision is not reasonably available at the point of suspension, it may be provided in a subsequent notice, but it will be provided no later than 48 hours before the provision is due to start. The only exception to this is where alternative provision is to be provided before the sixth day of a suspension or exclusion, in which case the information can be provided with less than 48 hours' notice, with parents or carer's consent.

#### 5.1.2: Informing the LAC and Local Authority

The headteacher will immediately notify the Local Academy Committee (LAC) and the Local Authority (LA) of:

- A permanent exclusion, including when a fixed-term suspension is made permanent
- Suspensions that would result in the pupil being suspended for more than 5 school days (or more than 10 lunchtimes) in a term
- Exclusions or suspensions that would result in the pupil missing a statutory assessment that could not be rearranged (e.g. Reception Baseline Assessment, Phonics Screening Check, Multiplication Tables Check and Y6 KS2 tests).

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

For all other suspensions, the headteacher will notify the LAC once a term.

### **5.2 The Local Academy Committee (LAC)**

Responsibilities regarding suspensions and exclusions are delegated to the LAC. The LAC has a duty to consider the reinstatement of a suspended or excluded pupil (see Section 6). The LAC Review Panel will be made up of a panel of three governors from the school or two governors from the school and a governor from another school in the St Clare's Catholic Multi-Academy Trust.

### **5.3 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.

## **6. Considering the reinstatement of a pupil**

The LAC review panel must consider the reinstatement of an excluded pupil within 15 school days of receiving the notice of the suspension or exclusion if:

- The exclusion is permanent
- It is a fixed-term suspension that would bring the pupil's total number of school days of suspension to more than 15 days in a term
- It would result in a pupil missing a statutory assessment (e.g. Reception Baseline Assessment, Phonics Screening Check, Multiplication Tables Check and Y6 KS2 tests).

It requested to do so by parents or carers, the LAC Review Panel will consider the reinstatement of a suspended pupil within 50 school days of receiving notice of the suspension if the pupil would be suspended from school for more than 5 school days but less than 15 in a single term.

Where a suspension or exclusion would result in a pupil missing a statutory assessment (e.g. Reception Baseline Assessment, Phonics Screening Check, Multiplication Tables Check and Y6 KS2 tests) the LAC Review Panel shall consider the reinstatement of the pupil before the examination date. If this is not practicable, the LAC Review Panel will consider the suspension or exclusion and decide whether or not to reinstate the pupil.

The LAC can either:

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

In reaching a decision, the LAC Review Panel will consider whether the suspension or exclusion was lawful, reasonable and procedurally fair, and whether the headteacher followed their legal duties. They will decide whether or not a fact is true on 'the balance of probabilities', which differs from the criminal standard of 'beyond reasonable doubt', as well as any evidence presented in relation to the decision to suspend or exclude.

Minutes will be taken of the meeting alongside a record of evidence considered. The outcome will be recorded on the pupil's educational record.

The LAC Review Panel will notify, in writing, the headteacher, parents or carers and the LA of their decision, along with reasons for its decision, without delay.

Where an exclusion is permanent, the LAC Review Panel's decision will also include the following:

- That the exclusion is permanent
- Notice of parent or carer's right to request of the LAC Review Panel's minutes and supporting documents
- Notice of parent or carer's right to ask for the decision to be reviewed by an independent review panel, and:
  - o The date by which an application for an independent review must be made
  - o The name and address to whom an application for a review should be submitted
  - o That any application should set out the grounds on which it is being made and that, where appropriate, reference to how the pupil's special educational needs and disability (SEND) should be considered to be relevant to the exclusion
  - o That, regardless of whether the excluded pupil has recognised SEND, parents or carers have a right to require the Academy Trust to appoint an SEND expert to attend the review
  - o Details of the role of the SEND expert and that there would be no cost to parents for this appointment

- That parents must make clear if they wish for an SEND expert to be appointed in any application for a review
- That parents may, at their own expense, appoint someone to make written and/or oral representations to the panel, and parents may also bring a companion to the independent review panel.

If parents believe that exclusion has occurred as a result of discrimination, they may make a claim under the Equality Act 2010 to the first-tier tribunal (Special Educational Needs and Disability), in the case of disability discrimination or the county court, in the case of other forms of discrimination. A claim of discrimination made under these routes should be lodged within six months of the date on which the discrimination is alleged to have taken place.

## **7. Independent Review**

If parents or carers apply for an independent review, the academy trust will arrange for an independent panel to review the decision of the LAC Review Panel to uphold the permanent exclusion.

Applications for an independent review must be made within 15 school days of the LAC Review Panel's decision.

The independent review panel will conclude either:

- To uphold the LAC Review Panel's decision
- To recommend that the LAC Review Panel reconsiders reinstatement
- Quashes the LAC Review Panel's decision and direct that they reconsider reinstatement (which will occur only when the decision is judged to be flawed).

A copy of their deliberations and directions will be sent to the parents or carers.

## **8. School registers**

A pupil's name will be removed from the school admissions register if:

- 15 school days have passed since the parents or carers were notified of the LAC Review Panel's decision to not reinstate the pupil and no application has been made to an Independent Review Panel, or
- The parents or carers have stated in writing that they will not be applying for an Independent Review Panel.

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

Where alternative provision has been made for an excluded pupil and they attend it, code B (education off-site) will be used on the attendance register.

Where excluded pupils are not attending alternative provision, code E (absent) will be used.

## **9. Returning from a fixed-term suspension**

Following a fixed-term suspension, a re-integration meeting will be held involving the pupil, parents or carers, a member of senior staff and other staff, as appropriate.

The following measures may be implemented when a pupil returns from a fixed-term exclusion:

- Agreeing a behaviour contract
- Using a behaviour monitoring system, such as a daily report
- Reduced timetables
- Internal isolation/suspension

These are suggestions and other measures may be put into place that suit that pupil's individual needs.

## **10. Monitoring arrangements**

The headteacher monitors the number of suspensions and exclusions every term and reports back to the LAC. They also liaise with the LA to ensure suitable full-time education for excluded pupils.

This policy will be reviewed by the LAC every 3 years.

## **11. Links to other policies**

This suspensions and exclusions policy is linked to our:

- Behaviour policy
- SEN policy
- Anti-bullying policy

## Appendix 1: Sample Suspension Letter



# EMMAUS



## Catholic and Church of England Academy

*'Walking with Jesus as we learn'*

Southend Road, Sheffield, S2 5FT Tel:0114 2766474

Email: [enquiries@emmaus.sheffield.sch.uk](mailto:enquiries@emmaus.sheffield.sch.uk)

Website: <http://www.emmaus.sheffield.sch.uk>

Headteacher: Helen Simmerson

Parent/Carer of  
Address

Date

Dear Parent/Carer

### Suspension of 1.5 days - Re:

I am writing to inform you of my decision to suspend \*\*\*\*\* from school for a fixed period of 1.5 days. This means that \*\*\*\*\* will not be allowed in school for this period. This suspension will be for 1.5 days, **the rest of today and tomorrow 21<sup>st</sup> January 2026.**

I realise that this suspension may be upsetting for you and your family, but the decision to suspend \*\*\*\*\* has not been taken lightly.

\*\*\*\*\* has been suspended for this fixed period because of use or threat of use of an of an offensive weapon.

### Your Responsibility

It is your responsibility as the parent to ensure that your child is not present in a public place during school hours of **the rest of today and tomorrow** unless there is a reasonable justification for this. I must warn you that you may receive a penalty notice from the local authority if your child is found in a public place during normal school hours on the specified dates without reasonable justification.

### The School's Responsibility

The school will set work for \*\*\*\*\* to be completed during the period of their exclusion as specified below.

On the first day of exclusion your child will be expected to:

- Reflect upon their behaviour and prepare for the reintegration meeting in which they will be required to consider the incident, how they might make amends and how to avoid this happening again.
- Catch up on any outstanding school work

**Please ensure that your child undertakes this reflection** and catches up on any work which is outstanding. Depending on the length of the suspension, after the first day your child will be provided with a pack of materials to work on at home up to the fifth day of suspension

The school will ensure you receive appropriate work for the period of the suspension. Please ensure that work set by the school is completed and returned promptly for marking, and that your child is in the care of yourself or a responsible adult during school hours.

### **Your Rights**

- A. If the total days of suspension are below five days in any one term** you may make representation to the Governing Body who will consider these but the Governing body does **not** have the authority to overturn the suspension. At **Emmaus** the representation for this level of suspension will be considered by the Chair of Governing Body
- B. If the total days of suspension take the total number of days above 5 but below 15 days in any one term** parents **can** request a Governing Body Meeting\*. This meeting will be held within 50 days of the parent receiving the suspension notice. A representative of the local authority will also attend if requested.
- C. If the total days of suspension take the total number of days above 15 days in any one term or if the suspension is permanent** the Governing Body\* **must** convene a meeting to consider reinstatement. A representative of the local authority will also attend.

Number of days \_\_\_\_\_ has been suspended this School year is \_\_\_\_\_ (including this suspension).

If you wish to make representations please contact our Chair of Governors, Margaret Helliwell, at the school address as soon as possible.

### **Reintegration Meeting**

**You and your child** are requested to attend a reintegration interview on **Friday 23<sup>rd</sup> January at 9.00am**. \*\*\*\*\* needs to be brought into school at this time with you. If that is not convenient, please contact the school to arrange a suitable alternative date and time. The purpose of the reintegration interview is to be clear what the school, you and your child can all agree to ensure a successful reintegration.

### **Impartial Information**

This can be accessed through: Coram Children's Legal Centre: [www.childrenslegalcentre.com](http://www.childrenslegalcentre.com) or Tel: 08088 020 008.

Statutory Guidance on Suspensions  
<http://www.education.gov.uk/schools/pupilsupport/behaviour/exclusion>

You may want to contact the Sheffield Exclusion's Team at Moorfoot Building on 2736197 or 2735750.

Yours sincerely

Mrs H. Simmerson  
Headteacher

\*The Governing Body in these cases is likely to mean a subcommittee of at least three Governors.

**Appendix 2: Independent Review Panel Request after permanent exclusion**



**EMMAUS**



**Catholic and Church of England  
Academy**

*'Walking with Jesus as we learn'*

**Southend Road, Sheffield, S2 5FT Tel:0114 2766474**

**Email: [enquiries@emmaus.sheffield.sch.uk](mailto:enquiries@emmaus.sheffield.sch.uk)**

**Website: <http://www.emmaus.sheffield.sch.uk>**

**Headteacher: Helen Simmerson**

Name of child: \_\_\_\_\_ Date: \_\_\_\_\_

Name of parent or carer: \_\_\_\_\_

Address of parent or carer: \_\_\_\_\_

Phone number: \_\_\_\_\_

Please explain why you are requesting an independent review:

Do you require an SEND expert? Yes/No

Do you have an access arrangements or additional needs? Yes/No

If yes, please provide details: \_\_\_\_\_

\_\_\_\_\_

Do you need an interpreter? Yes/No

If yes, please provide details:

\_\_\_\_\_

\_\_\_\_\_

Please send these details to the Independent Review Panel Request, St Clare CMAT, Hallam Pastoral Centre, St Charles Street, Sheffield, S9 3WU or phone 0114 478 5220 for email address details.