

New Reflexions Schools

Suspension and Permanent Exclusion policy

NEWREFLEXIONS
Where every child matters

Contents:

1. Focus and ethos of this policy:
2. Terminology
3. Associated legislation
4. Duties under the Equality Act 2010 and Children and Families Act 2014
5. The headteacher's powers to use exclusion
6. Suspension
7. Permanent exclusion
8. Cancelling exclusions
9. Reasons for exclusions
10. Off-rolling and unlawful exclusions
11. Child on Child Abuse (including harassment and violence)
12. Reintegration after a suspension or off site direction or separation for safeguarding purposes
13. Factors to consider before using exclusion
14. Duties of the Head Teacher and Proprietors
15. Informing social workers and VSHs about an exclusion
16. Informing the Proprietors about an exclusion
17. The proprietal board's duty to consider an exclusion
18. Guidance for parallel criminal proceedings.
19. Appendix 1 Suspension Letter
20. Appendix 2: Proprietors checklist flowchart

Focus and ethos of this policy:

Good behaviour in schools is essential to ensure that all students benefit from the opportunities provided by education. New Reflexions, in line with the Government recognises that school exclusions, managed moves and off-site direction are essential behaviour management tools for headteachers and can be used to establish high standards of behaviour and maintain the safety of school communities.

For the vast majority of students, suspensions and permanent exclusions may not be necessary, as other strategies can manage behaviour. If these approaches towards behaviour management have been exhausted, then suspensions and permanent exclusions will sometimes be necessary as a last resort. This is to ensure that other students and teaching staff can work in safety and are respected. New Reflexions does not generally use permanent exclusion as it has many other approaches to allow the safe management of students, including alternative and bespoke provision.

Terminology

The word **'suspension'** is used to refer to what legislation calls an exclusion for a fixed period. Exclusion of a pupil from a school, means exclusion on disciplinary grounds. It does not include situations where a pupil is sent away from school or told not to attend for reasons that are not disciplinary.

The definition of a '**parent'** can be found in the Education Act 1996. In addition to the child's birth parents, references to parents in this policy include any person who has parental responsibility (which includes the local authority where it has a care order in respect of the child) and any person (for example, a foster carer) who has care of the child.
The term '**cancelled exclusion'** refers to an exclusion that has been cancelled before the proprietors have met to consider whether the student should be reinstated.
The term '**remote access'** refers to a meeting arranged by the proprietal board which is carried out via electronic means such as a live video link.

Associated legislation

The principal legislation to which this guidance relates is:

- Children's well being and Schools Act 2026
- D of E Suspensions and Permanent exclusions Guidance, July 2026
- the Education Act 2002, as amended by the Education Act 2011;
- the Education and Inspections Act 2006;
- the Education Act 1996; and
- the Education (Provision of Full-Time Education for Excluded Students) (England) Regulations 2007, as amended by the Education (Provision of Full-Time Education for Excluded Students) (England) (Amendment) Regulations 2014.

Duties under the Equality Act 2010 and Children and Families Act 2014

Under the Equality Act 2010 (the Equality Act) and the Equality Act 2010: advice for schools - GOV.UK (www.gov.uk), schools must not discriminate against, harass, or victimise students because of their:

- sex;
- race;
- disability;
- religion or belief;
- sexual orientation;
- pregnancy/maternity; or
- gender reassignment.

For disabled children, this includes a duty to make reasonable adjustments to any provision, criterion or practice which puts them at a substantial disadvantage, and the provision of auxiliary aids and services. These duties need to be complied with when deciding whether to exclude a student. New Reflexions Schools will also ensure that any provision, criterion, or practice does not discriminate against students by unfairly increasing their risk of exclusion.

The proprietal board must also comply with their statutory duties in relation to students with SEN when administering the exclusion process and have regard to the Special Educational Needs and Disability (SEND) Code of Practice.

The headteacher's powers to use exclusion

Only the headteacher or acting head teacher of our schools will suspend or permanently exclude a student on disciplinary grounds. A student may be suspended for one or more fixed periods (up to a maximum of 45 school days in a single academic year) or permanently excluded.

A student's behaviour outside school can be considered grounds for a suspension or permanent exclusion.

When establishing the facts in relation to a suspension or permanent exclusion decision, the headteacher must apply the civil standard of proof, i.e. 'on the balance of probabilities' it is more likely than not that a fact is true,

New Reflexions Headteachers should also take the student's views into account, considering these in light of their age and understanding, before deciding to exclude, unless it would not be appropriate to do so.

Suspension

New Reflexions schools believe that a suspension, where a student is temporarily removed from the school, is an essential behaviour management tool particularly where it provides space and time for further planning and for the team around the child to work together to improve support and reduce risk. The Department for education supports head teachers in using suspension to create calm, safe and supportive environments where staff and students can work safely and are respected.

A suspension does not have to be for a continuous period. A suspension can be for parts of the school day. Lunchtime suspensions are counted as half a school day in determining whether a proprietal board meeting is triggered.

If the learner has the ability to understand, then a suspension may also be used to provide a clear signal of what is unacceptable behaviour as part of the school's behaviour policy. In doing so our core underpinning ethos of trauma informed practice must also be considered.

It is important that during a suspension, students still receive their education. Headteachers will take steps to ensure that work is set and marked for students during the first five school days of a suspension. This can include utilising any online pathways such as the Oak National Academy.

Permanent exclusion

New Reflexions schools do not usually consider permanent exclusion as an appropriate response to meeting the needs of our vulnerable cohort. Our schools will always work with the team around the child to seek alternative programmes of education which better meet young people's needs rather than permanently exclude. Guidance however indicates permanent exclusion should be considered where allowing the pupil to remain in school would seriously harm the education or welfare of the pupil or others such as staff or pupils in the school.

Cancelling exclusions

Headteachers are permitted to cancel any suspension or exclusion that has already begun (or one that has not yet begun), but this can only happen when the proprietal board has not yet met to consider whether the student should be reinstated. In these circumstances head teachers must liaise and consult with all those involved to ensure all understand the circumstances.

Reasons for exclusions

New Reflexions headteachers must use their professional judgement based on the individual circumstances of the case when considering whether to suspend or exclude a student.

The reasons below are examples of the types behavior which may warrant this response;

- Physical assault against a student
- Serious physical assault against an adult
- Verbal abuse or threatening behaviour against a student
- Use, or threat of use, of an offensive weapon or prohibited item that has been prohibited by a school's behaviour policy
- Serious bullying
- Serious racist abuse
- Serious abuse against sexual orientation or gender reassignment
- Serious abuse relating to disability

The reason for the suspension or exclusion should be logged on the schools information management system and recorded in the letter sent to parents/carers/social workers.

Off-rolling and unlawful exclusions

New Reflexions schools understand that telling or forcing a student to leave school, or not allowing them to attend school, is a suspension (if temporary) or permanent exclusion (if permanent). Whenever a student is made to leave one of our schools, or forbidden from attending school, on disciplinary grounds, we understand that this must be done in accordance with the School Discipline (Student Exclusions and Reviews) (England) Regulations 2012. Suspending a student for a short period of time, such as half a day, is permissible but we will always follow the formal suspension process.

New Reflexions schools cater for some very complex young people and provided it is part of an agreed Behaviour Support Plan (BSP), shared with the team around the child, we may choose to use alternative approaches to support young people to manage their behaviour and to develop more positive responses as well as to self-regulate. Our young people often find this very challenging when amongst peers and it may be appropriate for them to manage these skills away from the main school site with the support of an adult (school or care staff). We recognise that informal or unofficial exclusion, such as sending a student 'to cool off', is

unlawful when it does not follow the formal process, or the young persons Behaviour Support Plan.

New Reflexions Head Teachers are also aware that exerting influence over a parent to remove their child from the school under the threat of a permanent exclusion and encouraging them to choose Elective Home Education is also a form of off rolling. Parents are within their rights to use the school's complaint process if they feel this has occurred.

Safeguarding, including guidance where students have abused another learner, known as Child on Child Abuse

Where a safeguarding investigation may result in the permanent exclusion of a student it is important that these decisions are made alongside the school's duty to safeguard children and to provide education. New Reflexions Schools will have regard to Keeping Children Safe in education 2026, Working Together to Safeguard Children and The Equality Act 2010.

In certain circumstances a school can temporarily forbid a student from attending where the Designated Safeguarding Lead feels separation is essential for Safeguarding reasons, this will always be considered on a case by case basis. This is not an exclusion on disciplinary grounds.

Reintegration after a suspension or off-site direction or separation for safeguarding purposes

New Reflexions schools will always support students to reintegrate successfully into the school community following a suspension. We will design a reintegration strategy, starting with a reintegration meeting, for each learner that offers them a fresh start and builds skills for better self-regulation. Our vulnerable cohorts are likely to need further support with developing an understanding of why their behaviour was unacceptable and how they can better integrate with their community. Any part-time response or off site direction, should be reviewed in a timely fashion and decisions about the use of longer-term alternative programmes will always be agreed with the team around the child, being mindful of meeting the learners SEND needs. New Reflexions head teachers will always ensure that any high quality alternative provision, which can be important in managing behaviour, is fully checked and monitored in line with statutory safeguarding guidance and agreed with the team around the child. Having regard to Alternative provision - GOV.UK

Factors to consider before using Exclusion

Before excluding Head Teachers should consider other ways of supporting young people.

Off site direction refers to students being temporarily required to attend a different school or education setting, this is highly unlikely within New Reflexions, but if it does occur the register should reflect the alternative attendance with a 'D' code and with regards given to the alternative provision guidance detailed above. In particular the importance of information sharing, risk assessments and regular review meetings.

Managed moves are permanent changes to provision and must follow the guidance set out in the admissions code and school attendance regulations 2024.

The Equality Act 2010 requires schools to make reasonable adjustments for disabled pupils. Where a school has concerns about the behaviour, or risk of suspension and permanent exclusion, of a pupil with SEN, a disability or an EHC plan it should, in partnership with others (including where relevant, the local authority), consider what additional support or alternative placement may be required and if appropriate amendments to the EHCP.

For **children with a social worker**, education is an important protective factor, providing a safe space for children to receive support, be visible to professionals and realise their potential. The school should involve the child's social worker, their virtual school representative and any of those with parental responsibility in plans to support them, this could include use of the PEP process.

Duties of the Head Teacher and Proprietors

New Reflexions Headteachers will without delay, notify parents/carers/social worker or the excluded student (if they are 18 years or older) of the period of the suspension or permanent exclusion and the reason(s) for it.

They will provide in person or via a phone call initially and then followed up in writing;

- the reason(s) for the suspension or permanent exclusion;
- the period of a suspension or, for a permanent exclusion, the fact that it is permanent;
- parents' right to make representations about the suspension;
- details of the parents' (or an excluded student if they are 18 years or older) right to make a request for the meeting to be held remotely;
- how any representations should be made; and
- that where there is a legal requirement for the proprietal board to consider whether the student should be reinstated, parents or an excluded student (if they are 18 years or older) have a right to attend a meeting, to be represented at that meeting (at their own expense) and to bring a friend.
- details of the intention to use any alternative provision
- give the parent the opportunity to ask any questions and ensured any communication needs.

See Appendix 1 for template letter.

Where a suspended or permanently excluded student is of compulsory school age the headteacher will notify the student's parents/carers that the student is not to be present in a public place at any time during school hours on the first five days of the suspension/exclusion or until alternative provision is in place.

Informing social workers and Virtual School Heads about an exclusion

New Reflexions headteachers are aware that information sharing is vital in safeguarding children and promoting their welfare, including their educational outcomes. To this end we will always notify the social worker and virtual school of LAC about suspensions and exclusions, as well as any meetings they should attend.

Informing the Proprietors about an exclusion

The headteacher must, without delay, notify the proprietal board of:

- any permanent exclusion (including where a suspension is followed by a decision to permanently exclude the student)
- any suspension or permanent exclusion which would result in the student being suspended or permanently excluded for a total of more than five school days (or more than ten lunchtimes) in a term
- any suspension or permanent exclusion which would result in the student missing a public examination or national curriculum test

The proprietal board's duty to consider an exclusion

Proprietors have a key responsibility in considering whether excluded students should be reinstated. This forms part of their wider role to hold executive leaders to account for the lawful use of exclusion, in line with the duties set out in law, including equalities duties. New Reflexions is unlikely to ever use permanent exclusion as its vulnerable and complex students need a more creative and inclusive approach. It is likely that the exploration of significant difficulties with school attendance for any young person would involve a larger team and seek to find alternative ways of supporting that student to continue to engage in an alternative programme of educational activities. Some New Reflexions students may actually arrive with that alternative approach goal in mind and New Reflexions will work creatively with its partners to seek programmes that suit that individual learner and prevent exclusion.

In the unlikely instance of the Proprietal board at New Reflexions needing to consider a permanent exclusion they will refer to information within the Government guidance Suspension and permanent exclusion guidance.

Guidance for parallel criminal proceedings

Police involvement and parallel criminal proceedings against a student may affect how the exclusion and its review process are conducted, although they must always remain lawful, reasonable, and procedurally fair. The headteacher need not postpone taking a decision on a suspension and permanent exclusion solely because a police investigation is underway and/or any criminal proceedings may be brought. Where the evidence is limited by a police investigation or criminal proceedings, the headteacher should consider any additional steps they may need to take to ensure that the decision to suspend or permanently exclude is fair. The final decision on whether to suspend or permanently exclude is for the headteacher to make.

Last Reviewed	*Aug 2026*
Next Review due	*Aug 2027*
Reviewed by	*Head Teacher*

Appendix 1: Suspension letter

Dear

I am writing to confirm my decision to suspend [student's Name] for a fixed period of [specify period]. This means that he/she will not be allowed in school for this period. The suspension begins/began on [date/time] and ends on [date/time].

I realise that this suspension may well be upsetting, but the decision to suspend [student's Name] has not been taken lightly. [Student's Name] has been suspended for this fixed period because [reason for exclusion].

You have a duty to ensure that the student is not present in a public place in school hours during this suspension unless there is reasonable justification for this. I must advise you that you may receive a penalty notice from the local authority if they are present in a public place during school hours on the specified dates. If so, it will be for you to show reasonable justification.

We will set work for [student's Name] to be completed during this suspension. Please ensure that work set by the school is completed and returned to us promptly for marking.

You have the right to make representations about this decision to the proprietors. If you wish to make representations please contact me in the first instance, as soon as possible. Whilst the proprietors have no power to direct reinstatement, they must consider any representations you make and may place a copy of their findings on the student's school record.

You should also be aware that if you think the suspension relates to a disability the student has and you think disability discrimination has occurred, you have the right to appeal, and/or make a claim, to the First Tier Tribunal. (http://www.justice.gov.uk/tribunals/send/appeals). Making a claim would not affect your right to make representations to the proprietors.

[Student's name] and their supporting adult are requested to attend a reintegration meeting at [place] on [date] at [time]. You can request that this meeting is held remotely using a video call. If the meeting date is not convenient, please contact the school to arrange a suitable alternative date and time. The purpose of the reintegration meeting is to discuss how best to support [student name] to return to school.

You also have the right to see a copy of the student's school record. Due to confidentiality restrictions, you will need to notify me in writing if you wish to be supplied with a copy of this. There may be a charge for photocopying.

Statutory guidance on suspension and permanent exclusion can be found at: https://www.gov.uk/government/publications/school-exclusions-guide-for-parents

There are a number of organisations that provide free information, support and advice on exclusion matters:

• Coram's Child Law Advice service can be found through their website https://childlawadvice.org.uk/information-pages/school-exclusion/ or contacted on 0300 330 5485 from Monday to Friday, 10am – 4pm.

• every local area has a SENDIAS service who provide information, advice and support to children and young people with SEND, including on exclusions. Every exclusion letter should include details of the local service which can also be found here https://councilfordisabledchildren.org.uk/about-us-0/networks/information-advice-and-support-services-network

Independent Provider of Special Education Advice (known as IPSEA – http://www.ipsea.org.uk/) is a registered charity. It offers free and independent information, advice and support to help get the right education for children and young people with all kinds of special educational needs (SEN) and disabilities.

You may wish to contact your local authority's Inclusion Service.

[Student's Name]'s suspension expires on [date] and we expect [student's Name] to be back in school on [date] at [time].

Yours sincerely

[Name]
Head teacher

Appendix 2: Governing body (Proprietors) duties overview.

A summary of the governing board's duties to consider reinstatement[626364]

