EXCLUSION POLICY
OUR LADY & ST JOSEPH CATHOLIC PRIMARY SCHOOL

PREPARED BY:	P Devereux
APPROVED BY:	Governing Body
DATE:	November 2026
REVIEW DATE:	September 2027
DPO Checked:	February 2022

1. Aims

Our Lady & St Joseph Catholic Primary School is committed to ensuring that every child receives an education in a safe, caring, orderly and inclusive environment. This policy sets out the school's approach to suspension and permanent exclusion and is intended to ensure that all decisions and procedures are lawful, fair, reasonable, proportionate and consistently applied.

The school aims to:

- Ensure that suspension and permanent exclusion are used only where appropriate and in accordance with statutory requirements.
- Help governors, staff, parents/carers and pupils understand the process and their rights.
- Protect the education, welfare and safety of pupils and staff.
- Support pupils at risk of suspension or permanent exclusion through early intervention and appropriate pastoral, safeguarding, SEND and behaviour support.
- Prevent unlawful exclusion and off-rolling.
- Support successful reintegration following suspension, cancelled exclusion, off-site direction or safeguarding separation.

2. Legislation and statutory guidance

This policy is based on the Department for Education statutory guidance, Suspension and permanent exclusion from maintained schools, academies and pupil referral units in England, including pupil movement (July 2026), effective from 26 July 2026.

It has been written with regard to the following legislation and guidance:

- Education Act 1996.
- Education Act 2002, including section 51A.
- Education and Inspections Act 2006.
- School Discipline (Pupil Exclusions and Reviews) (England) Regulations 2012, as amended.
- Education (Provision of Full-Time Education for Excluded Pupils) (England) Regulations 2007, as amended.
- Equality Act 2010.
- Children and Families Act 2014.
- Human Rights Act 1998.
- Keeping Children Safe in Education.
- Behaviour in Schools.
- Working together to improve school attendance.
- SEND Code of Practice: 0 to 25 years.

Where there is any conflict between this policy and legislation or statutory guidance, legislation and statutory guidance will take precedence.

3. Definitions

- Suspension: the temporary removal of a pupil from school on disciplinary grounds for a fixed period. This replaces the former term "fixed-period exclusion".
- Permanent exclusion: the removal of a pupil from school permanently on disciplinary grounds.
- Parent: includes all biological parents, whether married or unmarried; any person who has parental responsibility for the child; and any person who has care of the child, even if they do not have parental responsibility.

- Off-site direction: a time-limited arrangement under which a pupil remains on this school's roll but is directed to attend education at another setting to improve behaviour.
- Managed move: a voluntary, permanent transfer to another school, agreed by the parent, receiving school and admission authority where required.
- Safeguarding separation: a temporary restriction on a pupil attending the school premises for safeguarding reasons. It is not a disciplinary suspension or permanent exclusion.

4. Core principles

- Only the headteacher, or an acting headteacher properly appointed to carry out the headteacher's functions, can suspend or permanently exclude a pupil on disciplinary grounds.
- The headteacher will establish the facts on the balance of probabilities.
- The school will treat permanent exclusion as a last resort.
- The school will consider the pupil's age, understanding, views and communication needs, and enable pupils to express their views with advocacy or support where appropriate.
- The school will comply with its duties under equality, SEND, safeguarding and human-rights legislation.
- The school will not use informal, unlawful or unrecorded exclusions.

5. Deciding whether to suspend or permanently exclude

5.1 Suspension

Suspension may be used in accordance with the Behaviour Policy where it is necessary and proportionate. It may provide a clear signal that behaviour is unacceptable, protect the safe and orderly running of the school, or show that a pupil is at risk of permanent exclusion if behaviour does not improve.

A suspension must have a fixed start and end date. A pupil may be suspended for one or more fixed periods, but must not be suspended for more than 45 school days in a single academic year. This includes relevant suspensions received from other schools. A lunchtime suspension counts as half a school day.

The school will not extend a suspension or convert it into a permanent exclusion. In exceptional circumstances, where further evidence comes to light following further investigation, the headteacher may issue a further suspension or a permanent exclusion to begin immediately after the first suspension ends.

5.2 Permanent exclusion

The headteacher will only permanently exclude a pupil in response to a serious breach or persistent breaches of the Behaviour Policy and where allowing the pupil to remain in school would seriously harm the education or welfare of the pupil or others, including pupils and staff.

This decision will be based on the facts and circumstances of the individual case. A permanent exclusion will not be imposed by reference to a predetermined tariff or because every possible intervention has not been exhausted.

5.3 Matters considered before a decision

Before deciding whether to suspend or permanently exclude a pupil, the headteacher will consider the individual circumstances, relevant evidence and available support. This will include:

- The circumstances of the incident, including any provocation, the evidence available and the pupil's account.
- The pupil's age, maturity, understanding and communication needs.
- Any special educational needs, disability or EHC plan, including whether appropriate support and reasonable adjustments have been provided.
- Safeguarding concerns, mental-health needs, trauma, bereavement, bullying, exploitation or other factors that may have contributed to the behaviour.

- Whether the pupil has a social worker, is looked after or was previously looked after, and the involvement of relevant professionals.
- The impact on the education, welfare and safety of the pupil, other pupils and staff.
- The effectiveness of interventions already provided and whether further appropriate support or adjustments are reasonably available.
- Whether a lawful, time-limited off-site direction or a voluntary managed move would be appropriate and in the pupil's best interests.

The pupil will be supported to express their views, with communication assistance or advocacy where appropriate. Relevant information from parents, staff and professionals will inform the decision.

Off-site direction and managed moves may provide appropriate alternatives to exclusion. They must not involve coercion, off-rolling or evasion of statutory safeguards.

Every decision will be lawful, reasonable, procedurally fair and proportionate. Permanent exclusion will remain a last resort and must meet both parts of the threshold set out in section 5.2.

6. Equality, SEND and safeguarding

The school will meet its duties under the Equality Act 2010 and will not discriminate against, harass or victimise a pupil because of a protected characteristic. The school will make reasonable adjustments for disabled pupils where required.

A pupil will not be suspended or permanently excluded simply because the school considers it cannot meet their SEND or disability-related needs. The headteacher will consider SEND, disability, reasonable adjustments and any EHC plan in every relevant decision. Where appropriate, the school will work with the local authority to consider an early annual review or other review of an EHC plan.

Where a pupil has a social worker or is looked after, the school will engage the social worker and/or virtual school head (VSH) at an early stage when suspension or permanent exclusion is being considered, in order to consider the pupil's circumstances and additional support.

7. Unlawful exclusion and off-rolling

Our Lady & St Joseph Catholic Primary School will not exclude pupils informally or remove them from the admission register without lawful grounds. Sending a pupil home for disciplinary reasons must follow the formal suspension or permanent-exclusion process, even where a parent agrees.

Off-rolling includes removing a pupil from the school roll without a formal permanent exclusion, or encouraging a parent to remove their child, where this is primarily in the school's interests rather than the pupil's.

The school will not:

- Send a pupil home to "cool off" without following and recording a formal suspension.
- Prevent attendance because of behavioural concerns without following the statutory suspension or permanent-exclusion process.
- Suspend or permanently exclude a pupil because of poor academic performance or because the school considers itself unable to meet their SEND or disability-related needs.
- Make a pupil's return following suspension conditional on a parent attending a reintegration meeting or agreeing to particular conditions.
- Use a part-time timetable to manage behaviour or as an informal exclusion.
- Pressure parents to withdraw their child, electively home educate or accept another school place.
- Use off-site direction or a managed move to conceal an exclusion, evade statutory safeguards or unlawfully remove a pupil from roll.
- Permanently exclude a pupil because their parent refuses to agree to a managed move.

Lawful off-site direction and voluntary managed moves may be used as planned interventions to support pupils and prevent exclusion, subject to the safeguards in section 9.

Any temporary separation for safeguarding purposes must meet the requirements in section 8 and must not be used as a disciplinary sanction or to circumvent exclusion procedures.

8. Safeguarding separation

In rare circumstances, Our Lady & St Joseph Catholic Primary School may temporarily restrict a pupil's attendance at the premises where separation from another pupil is essential for safeguarding and cannot practicably be achieved while keeping the pupils on site.

This is not a disciplinary sanction and must not be used to manage behaviour or circumvent suspension or permanent-exclusion procedures.

The designated safeguarding lead or deputy will lead the safeguarding assessment, working with the headteacher and relevant agencies. Any restriction will:

- Have a documented risk assessment, rationale and review arrangements.
- Be necessary, proportionate, time-limited and regularly reviewed.
- Consider the welfare, views and needs of all affected pupils, including SEND and reasonable adjustments.
- Comply with safeguarding, equality, human-rights and public-law duties.
- Be explained to parents, with written confirmation of the reasons, education arrangements and review process.
- Be notified to the governing board without delay.

The school will ensure suitable education arrangements are addressed promptly. If neither the school nor parents arrange suitable education, the school will immediately notify the local authority so it can discharge its duty under section 19 of the Education Act 1996, where applicable.

The school will maintain contact, monitor welfare and education, and plan a safe return as soon as the restriction is no longer necessary.

9. Off-site direction and managed moves

9.1 Off-site direction

The governing body of Our Lady & St Joseph Catholic Primary School may require a pupil to attend another educational setting temporarily to improve their behaviour. This will be a planned, time-limited intervention where support within school or outreach support has been unsuccessful or is inappropriate. It will not be used as punishment for past misconduct or as a means of off-rolling.

The pupil will remain on the school's roll. The school will retain responsibility for monitoring their attendance, safeguarding, welfare and progress. Provision will meet the pupil's educational needs, including SEND, and provide a broad and balanced curriculum. The school will involve the pupil and parents in planning and establish clear objectives, a proposed maximum duration and reintegration arrangements.

Parents and, where the pupil has an EHC plan, the local authority maintaining that plan will receive written notification as soon as practicable after the direction is made and at least two school days before the placement begins. This will specify:

- The placement address and the person to whom the pupil must report on arrival.
- The number of days the direction will apply.
- The reasons for and objectives of the placement.
- The session start and finish times, including the break between morning and afternoon sessions where applicable.

The governing body will review the placement regularly at intervals appropriate to the pupil's needs. Parents and, where applicable, the local authority maintaining the EHC plan may request a review in writing. This will be arranged as soon as reasonably practicable unless a review has taken place within the preceding ten weeks.

Written invitations to review meetings will be issued at least six days beforehand, allowing those invited to attend or submit written views. Reviews will consider the views of parents, the provider, school representatives and relevant professionals, alongside the pupil's views.

Following each review, the governing body will decide whether the placement should continue and for how long. Parents will receive written notification of the decision and reasons within six days of the meeting. Reintegration arrangements will be reviewed throughout the placement.

9.2 Managed moves

A managed move is a voluntary, permanent transfer to another school. It may only be considered where it is in the pupil's best interests and the parent, receiving school and relevant admission authority agree. It must not be used as a threat, a trial, a condition of avoiding exclusion or a form of off-rolling.

10. Notifications

10.1 Parents/carers

The headteacher will notify parents without delay of any decision to suspend or permanently exclude their child. Wherever possible, initial contact will be by telephone or in person, followed without delay by formal written notification.

The written notification will explain:

- The reasons for the decision.
- The suspension's duration, including its start and end dates, or confirmation that the exclusion is permanent.
- Parents' right to make representations to the governing board, how and to whom these should be submitted, and how their child may participate.
- Where a governing-board meeting is legally required, parents' right to attend, appoint a representative at their own expense and bring a friend.
- The right to request a remote-access meeting and how and to whom to make that request.

Formal written notification will be delivered directly, left at or posted to the parent's usual or last known home address. Electronic delivery will be used where the parent has agreed to receive this type of notice electronically.

Public-place duty

For pupils of compulsory school age, parents will receive written notification of the dates on which they must ensure their child is not in a public place during school hours without reasonable justification. This applies during the first five school days, ending earlier if the suspension ends or full-time alternative provision begins. Notification will be given without delay and no later than the end of the afternoon session on the first day. It will explain the possibility of a penalty notice or prosecution.

Education arrangements

Parents will be informed about work and education arrangements. Where alternative provision is arranged, written information will identify its start date, address, session times and the person to whom the pupil should report. If unavailable initially, these details will follow without delay and at least 48 hours before provision starts. Shorter notice requires parental consent and provision beginning before day six.

Communications will accommodate parents' language and accessibility needs and provide sources of free, impartial advice, including Tower Hamlets SEND Information, Advice and Support Service.

10.2 Governing board, local authority and relevant professionals

Governing board

The headteacher will notify the governing board without delay of:

- Any permanent exclusion.
- Any suspension which, together with earlier exclusions, takes the pupil's total above five school days or ten lunchtimes in a term.
- Any exclusion resulting in a missed public examination or National Curriculum test.
- Any cancelled exclusion, including the reason for cancellation.

At least once each term, the headteacher will report all other suspensions not previously notified. Notifications will state the reasons, duration or permanent status, and any implications for examinations or tests.

Local authority and Tower Hamlets reporting

All suspensions, permanent exclusions and cancellations will be reported to Tower Hamlets without delay, regardless of duration. For a permanent exclusion, the pupil's home local authority will also be notified where different.

Our Lady & St Joseph Catholic Primary School will use Tower Hamlets' Gateway Exclusions System to submit the required notification and upload the parent's exclusion letter.

Where technical or access difficulties prevent submission, the school will contact CIS and the Exclusions Team promptly. If unresolved, the school will immediately send the LA Exclusions Monitoring Notification Form and exclusion letter securely to exclusions@towerhamlets.gov.uk, copying the letter to the Chair of Governors. Manual reporting will be temporary while access is restored.

The school will complete the required alternative-provision notification for permanent exclusions, suspensions exceeding five school days, and looked-after children or children with a social worker requiring first-day provision. Where manual submission is necessary, the Notification of Attendance at London East AP Form will be sent securely to day6@londoneastap.org.uk, copied to exclusions@towerhamlets.gov.uk.

Social workers and Virtual School Head

Where the pupil has a social worker, that person will be notified without delay. For looked-after children, the responsible local authority's Virtual School Head will also be notified. Notifications will explain the reasons, duration or permanent status, examination or test implications, and any cancellation.

The social worker and Virtual School Head, where applicable, will be informed of governing-board reinstatement meetings and invited to participate. Remote participation will be facilitated in accordance with statutory guidance.

The school will retain secure records of notifications and follow-up actions.

11. Education during exclusion

Our Lady & St Joseph Catholic Primary School will minimise disruption to pupils' education during suspension or permanent exclusion and ensure that education arrangements reflect their needs.

11.1 The first five school days

Where alternative provision is not being attended, the school will take reasonable steps to set and mark achievable, accessible work during the first five school days of suspension or permanent exclusion. Appropriate SEND support and reasonable adjustments for disabled pupils will be provided.

11.2 Education from the sixth school day

For pupils of compulsory school age, the governing body will arrange suitable full-time education from no later than the sixth school day of a suspension lasting more than five school days.

Consecutive suspensions will be treated cumulatively when determining this duty. A further suspension does not restart the five-day period.

Following permanent exclusion, the pupil's home local authority is responsible for arranging suitable full-time education from the sixth school day of exclusion. The school will cooperate promptly with the authority to facilitate this provision.

11.3 Looked-after children and children with a social worker

In accordance with Tower Hamlets' published local procedures, the school will work with the responsible local authority and relevant professionals to secure suitable full-time alternative provision from the first day of exclusion for looked-after children and children with a social worker.

Any difficulty securing provision will be escalated immediately to the Exclusions Team and responsible professionals. Accessible work will be provided and marked while arrangements are resolved. This interim support will not replace the provision that should be secured.

11.4 Coordination and monitoring

The school will complete the notifications specified in section 10.2 and provide parents with the education arrangements in accordance with section 10.1.

The governing body will assure itself that school-arranged provision is suitable, full-time, appropriately safeguarded and able to meet the pupil's needs, including SEND. The school will monitor attendance, welfare and engagement while the pupil remains on roll and share relevant educational and safeguarding information securely.

For pupils below compulsory school age, the school will consider appropriate educational support with parents and relevant professionals.

12. Cancelling an exclusion

The headteacher may cancel a suspension or permanent exclusion that has started or has not yet started, but only if the governing board has not already met to consider reinstatement.

Where an exclusion is cancelled, the school will notify the parent, governing board, local authority and, where relevant, social worker and VSH without delay, stating the reason for cancellation. The parent will be offered an opportunity to meet with the headteacher without delay, and the pupil will be allowed to return to school without delay.

Days spent out of school before cancellation count towards the maximum 45 school days of suspension in an academic year. A permanent exclusion cannot be cancelled if the pupil has already been excluded for more than 45 school days in that school year, or will have been so excluded by the date cancellation takes effect.

13. Governing board consideration of reinstatement

13.1 Responsibility

The governing body of Our Lady & St Joseph Catholic Primary School will fulfil its statutory duties to consider exclusions and parental representations. It may formally delegate these functions to a designated committee comprising at least three governors.

Governors considering an individual case must be impartial and have no conflict of interest. References below to the governing body include a committee exercising these formally delegated functions.

13.2 When consideration is required

The governing body must consider and decide whether to reinstate a pupil within 15 school days of receiving notice from the headteacher where:

- The exclusion is permanent.
- The exclusion, together with earlier exclusions, takes the pupil's total number of school days excluded above 15 in a term.
- The exclusion would cause the pupil to miss a public examination or National Curriculum test.

Where suspensions total more than five but no more than 15 school days in a term, the governing body must consider and decide on reinstatement within 50 school days of receiving notice if parents make representations. If parents do not make representations, no meeting is required and the governing body cannot direct reinstatement, unless the examination or test provisions apply.

Where suspensions total five school days or fewer in a term, the governing body must consider any parental representations but is not required to hold a meeting and cannot direct reinstatement, unless the examination or test provisions apply.

Lunchtime suspensions count as half a school day.

Where an exclusion would cause a pupil to miss a public examination or National Curriculum test, the governing body must consider reinstatement beforehand so far as reasonably practicable. If sufficient governors cannot meet before the examination or test, the Chair, or Vice-Chair where the Chair is unable to act, may consider reinstatement alone.

13.3 Preparing for the meeting

The clerk will request relevant written evidence in advance, including witness statements, the pupil's account and relevant SEND and school records. Wherever possible, the evidence and a list of attendees will be circulated to all parties at least five school days before the meeting.

Governors considering the case must not discuss it with any party outside the meeting.

The following will be invited and permitted to make representations or share information:

- Parents and, where requested, their representative or friend.
- The headteacher.
- A local-authority representative.
- The pupil's social worker, where applicable.
- The Virtual School Head where the pupil is looked after.

The pupil will be supported to attend and express their views, taking account of age and understanding, or to contribute through another appropriate means. Reasonable adjustments and communication support will enable effective participation. Remote participation will be arranged in accordance with section 17 and statutory requirements.

13.4 Considering reinstatement

The governing body will consider the evidence and representations, the pupil's individual circumstances, relevant legal duties and the interests of other pupils and staff.

Facts will be determined on the balance of probabilities. The governing body will assess whether the exclusion was lawful, reasonable, proportionate and procedurally fair, including whether safeguarding, equality and SEND duties were met.

Where legally empowered to do so, it may decline to reinstate the pupil or direct reinstatement immediately or on a specified date. The headteacher must comply with a direction to reinstate.

A legally required meeting must still take place where the suspension has ended or parents do not wish their child to return.

All parties will withdraw before governors deliberate. The clerk may remain to provide procedural advice and assist with recording the decision.

13.5 Recording and communicating the decision

The clerk will keep clear minutes recording the evidence considered, the decision and the reasons. Minutes will be available to parties on request. The outcome and relevant papers will be retained with the pupil's educational record.

The decision and reasons will be communicated in writing without delay to parents, the headteacher, the local authority and, where applicable, the pupil's home authority, social worker and Virtual School Head.

Where the governing body declines to reinstate a permanently excluded pupil, its notification will include the independent-review and discrimination-claim information required by law and statutory guidance, as addressed in section 14.

14. Independent review panel

Where a permanent exclusion is upheld and the governing board decides not to reinstate the pupil, parents/carers have the right to request an independent review panel (IRP). The decision letter will state the deadline for applying, which is 15 school days from the date written notice of the governing-board decision is given to the parent.

The letter will also explain the address for applications and evidence, the need to state grounds for review, the right to request an SEN expert at no cost, the SEN expert's role, the right to appoint a representative at the parent's own expense and bring a friend, and the right to make an Equality Act 2010 discrimination claim to the appropriate tribunal or court.

As a maintained school, the local authority is the arranging authority for an IRP. The school will provide information and cooperate fully with the local authority and the panel. The panel may uphold the governing board's decision, recommend reconsideration, or quash the decision and direct reconsideration if the decision is judged flawed.

15. Admission and attendance registers

Following a permanent exclusion, Our Lady & St Joseph Catholic Primary School will retain the pupil on its admission register until the governing board has decided not to reinstate them and one of the following applies:

- Fifteen school days have passed since parents were notified of that decision, and no Independent Review Panel (IRP) application has been made.
- Parents have confirmed in writing that they will not apply for an IRP.
- A timely IRP application has been determined or abandoned, any recommended or directed governing-board reconsideration has been completed, and the pupil is not to be reinstated.

Removal will comply with the School Attendance (Pupil Registration) (England) Regulations 2024. The deletion date must not be backdated to the start of the exclusion.

While the pupil remains on roll, attendance will be recorded using the appropriate statutory code for the provision and attendance circumstances. Records must not conceal informal exclusion.

The school will make the required return to Tower Hamlets as soon as the grounds for deletion are met and no later than the deletion date, supplying all prescribed information. Relevant educational and safeguarding records will be transferred securely within applicable timescales.

16. Returning from suspension

Following suspension, cancelled exclusion, off-site direction or safeguarding separation, the school will put in place a proportionate reintegration strategy to support a successful return to school life and full-time education.

The strategy may include a named pastoral adult, curriculum catch-up, reasonable adjustments, risk assessment, a behaviour or support plan, restorative work where appropriate, external-agency involvement and regular review with the pupil and parent.

A reintegration meeting should take place before or at the beginning of the pupil's return. The school will communicate that the pupil is valued and is being given a fresh start. Parents/carers will be invited where possible, but a pupil must not be prevented from returning to school or the classroom because a parent is unable or unwilling to attend.

17. Remote access to meetings

Parents/carers may request remote access for a governing-board reinstatement meeting or an independent review panel. Remote access will be agreed only where participants can hear, speak, see and be seen; can participate fully; and the meeting can be conducted fairly and transparently.

A social worker and VSH may join remotely where these conditions are met. If technical problems cannot reasonably be resolved and compromise effective participation or the fairness and transparency of the meeting, the meeting will be rearranged without delay.

18. Monitoring arrangements

The governing board will review, challenge and evaluate the school's use of suspensions, permanent exclusions, off-site direction, alternative provision and managed moves at least termly.

Monitoring will include numbers, duration and reasons; repeat suspensions; use, cost and outcomes of alternative provision and off-site direction; managed-move outcomes; education provision; reintegration; and patterns by age, year group, time, protected characteristic, SEND, EHC-plan status, social-worker involvement and looked-after status.

The governing board will use this information to meet its equality duties, identify disparities, challenge practice, identify off-rolling risk and ensure that policies and interventions support inclusion and good behaviour.

This policy will be reviewed annually, or earlier if legislation, statutory guidance or local-authority requirements change.

19. Links with other policies

- Behaviour Policy.
- Safeguarding and Child Protection Policy.
- SEND Policy and SEN Information Report.
- Attendance Policy.
- Equality Information and Objectives.
- Anti-Bullying Policy.
- Complaints Policy.
- Data Protection Policy and Records Retention Schedule.
- Positive Handling/Restrictive Physical Intervention Policy, where applicable.
- Alternative Provision and Off-site Direction procedures.

Appendix 1: Headteacher operational checklist

- Establish and retain evidence; decide facts on the balance of probabilities.
- Give the pupil an appropriate opportunity to provide their account.
- Consider SEND, disability, reasonable adjustments, safeguarding, social-worker involvement, looked-after status, EHC plan and contributing factors.
- Apply the legal threshold and the principles of lawfulness, reasonableness, fairness and proportionality.
- Check the cumulative number of suspension days in the academic year.
- Make all notifications without delay.
- Arrange suitable work and education provision, including day-six provision where required.
- Record attendance accurately and maintain a secure contemporaneous record of the decision and actions.
- Plan reintegration from the outset where the exclusion is a suspension or is cancelled.