



*Creative
Education
Trust*

Suspensions and Permanent Exclusion Policy 2026-2027

Policy Owner	Director of Education
Approved by	Education Standards Committee
Last reviewed on	September 2026
Next review date	September 2027

This policy covers all Creative Education Trust academies and should be read in conjunction with the Positive Relationships and Behaviour for Learning policy.

Executive Summary

The Trust is responsible for communicating to students, parents and staff its expectations of behaviour. Procedures are in place to promote good behaviour and appropriate conduct and these are set out in the Positive Relationships and Behaviour for Learning Policy. To ensure safety, good order and behaviour for learning it may be necessary to exclude students from the premises for a fixed term or permanently. The initial decision to suspend, or to permanently exclude, is the Headteacher's/Principal's. It cannot be delegated to another colleague.

In applying this policy, the Trust and its schools will adhere to current legislation, including the Equality Act 2010; the Children's Wellbeing and Schools Act 2026 and the statutory DfE guidance: Suspension and Permanent Exclusion from Maintained Schools, Academies and Student Referral Units in England (updated July 2026).

All parties involved in suspensions and permanent exclusions, including Headteachers/Principals, parents, governing bodies and Independent Review Panels, must have regard to the statutory guidance. This policy outlines the key principles, roles and responsibilities around suspension and permanent exclusion to ensure that all proceedings are conducted in line with statutory guidance. It relates to behaviour not only in school but also to behaviour out of school.

Headteachers/Principals should ensure that the annexe to the CET Positive Relationships and Behaviour for Learning Policy is regularly reviewed, considering the views of stakeholders including students, parents, staff and Academy Council Members, and that it is published on the academy website. Academies must also ensure that students understand the expectations within the behaviour policy and the potential consequences for noncompliance. This goes beyond publishing the policy on the website and should include proactive work with students to secure their understanding.

This policy relates to external suspensions. Academies may also make use of internal exclusion, as an alternative to external suspension, for defined periods and/or remove a student from their normal lessons and educate them elsewhere on the school site as a supportive measure rather than a sanction. This will always be in the best interests of the student and for the shortest time that leaders deem is necessary before the student returns to lessons. Students educated outside of their normal lessons will always access their normal curriculum, unless they are accessing an intervention that is designed to help them to better regulate their behaviour.

Separations as a Safeguarding Measure

If a student must be kept off-site or separated due to an allegation of harm requiring physical separation from another student, this will be treated as a formal safeguarding measure, not a disciplinary suspension.

Types of External Exclusion

Exclusion can only be for a disciplinary offence, i.e., a breach of an academy's behaviour policy which is published on the academy's website and shared with students and parents. It is important that all students understand the academy's expectations of behaviour and the consequences for noncompliance with school policy.

There are two types of external exclusion: suspension (fixed term) and permanent.

Suspensions must always be processed and recorded as a formal exclusion. This includes any short period of time when the student is excluded, such as lunchtimes or being sent home early. Lunchtime suspensions are equivalent to a half day suspension. There is a maximum limit of 45 school days in an academic year for suspensions. Suspensions may be used for a single occurrence of serious misconduct or for persistent misbehaviour. Suspension should usually be a last resort, after all other approaches as outlined the DfE Behaviour in Schools guidance (2024) have been tried – alongside any other relevant efforts to support the student to better manage their behaviour.

A student who is subject to repeated suspensions for the same misbehaviour – such as persistent disruption – should not serve an ascending number of days with each successive suspension unless there is a clear and compelling justification for this.

Permanent exclusions can only be used as a last resort when all other strategies and interventions have been attempted and are only issued in response to a serious breach, or series of persistent breaches of the academy's behaviour policy **and** where allowing the student to remain in school would seriously harm the welfare or education of other students or staff.

Headteachers/Principals must consider alternative arrangements, such as a managed move, before permanently excluding any student. Schools can also use short-term part-time timetables, like any intervention, in the best interests of a student, and to support additional needs, for example whilst waiting for a specialist placement or while interventions embed. However, a part-time timetable will never be used to help the school manage their behaviour. Part time timetables will be regularly reviewed, with safeguarding remaining the responsibility of the school during agreed periods of absence.

Examples of serious incidents (non-exhaustive) where a suspension or permanent exclusion may be appropriate are:

- violence, abuse, bullying, or the use (or threat) of weapons.

Students who engage in persistent disruptive behaviour will usually receive an internal exclusion as an alternative to a suspension. Where a headteacher or principal decides that a suspension is necessary, they will explain within the suspension letter why an internal exclusion was not used as the consequence for persistent disruptive behaviour.

The law does not allow for extending a period of suspension or 'converting' a suspension into a permanent exclusion. In exceptional circumstances, such as cases involving a serious breach of the behaviour policy, the school may issue a suspension pending investigation. Following investigation (usually where new evidence comes to light), the school may issue a further separate suspension to begin immediately after the first suspension ends or a separate permanent exclusion to begin immediately after the end of the suspension.

A Headteacher/Principal may rescind a permanent exclusion that has not yet been reviewed by the Academy Council. In exceptional circumstances, the trust may direct a Headteacher or Principal to rescind or to not proceed with a permanent exclusion (see below). When a permanent exclusion is cancelled, the parents, the Academy Council, LA(s) and, if relevant, the student's Social Worker and/or Virtual School Headteacher must be notified without delay. The notification must provide the reason for the cancellation. The duty of the Academy Council to consider reinstatement ceases and there is no requirement to hold a meeting to consider reinstatement. Parents (or the excluded student if they are 18 years or over) should be offered the opportunity to meet the Headteacher/Principal to discuss the circumstances that led to the exclusion being cancelled which should be arranged without delay. The student will be allowed back into the academy without delay. Any days spent out of school because of any exclusion prior to the cancellation will count towards the maximum of 45 school days permitted in any school year.

A permanent exclusion cannot be cancelled if the student has already been excluded for more than 45 days in a school year or if they will have been so by the time the cancellation takes effect.

The Investigation

Where an excluded student has special educational needs and/or a disability (SEND), the academy must demonstrate that they have met the requirements of the SEND Code of Practice. This includes considering whether behaviours could be caused by underlying unmet needs and putting in place a range of provision and support to meet any need. If a student has an Education, Health and Care Plan (EHCP) and they are at risk of permanent exclusion, the academy should request an emergency EHCP review.

Under the Equality Act 2010, students must not be discriminated against, victimised or bullied because of protected characteristics. This includes ensuring that policies and practices do not discriminate by unfairly increasing a student's risk of suspension or permanent exclusion. Academies must make reasonable adjustments to policy and practice, where needed, to avoid discrimination.

Where a suspension will mean that a student with SEND serves 10 days or more of suspension during an academic year, **or** where a decision whether to permanently exclude **any** student is being made, leaders **must** consult CET's Director of Inclusion before the final decision is taken. The Director of Inclusion's role in the consultation is to support leaders to ensure that statutory responsibilities, including those regarding equity, are considered proactively before leaders make local decisions. In exceptional circumstances, the Director of Inclusion may direct that the permanent exclusion does not proceed.

Where any student has received multiple suspensions or is approaching the legal limit of 45 school days of suspension in an academic year, the Headteacher/Principal should consider whether suspension is providing an effective sanction. Academies should engage with all appropriate interventions and support strategies before excluding students. Academies will have regard to the DfE Behaviour in Schools (2024) guidance.

Thorough investigation will be undertaken prior to making any decision to exclude. Witnesses will be questioned; statements will be taken, and the accused student will be given the opportunity to have his/her say.

Each case will be judged on the facts and the context considered, for example:

- The degree of severity of the offence;
- The likelihood of re-occurrence;
- The student's previous record;
- Contributory factors (e.g. recent bereavement, mental health issues, bullying, disability, harassment);
- Support provided.

The academy's behaviour policy, special educational needs policy and any Equality Act related policy will also be considered, as will the students' views. Where appropriate, students will be supported to share their views by social workers or other trusted adults. This is particularly important where students may have additional needs, safeguarding concerns or wider circumstances that could have contributed to the incident

The decision to exclude will be made after a review of the evidence available and will be taken on the balance of probabilities - i.e. that it is more probable than not that the accused acted as alleged. The Headteacher/Principal will consider whether the sanction is reasonable, fair and proportionate.

Academies have a statutory duty to safeguard and promote the welfare of their students and must have regard to the statutory guidance *Keeping Children Safe in Education*. Where an exclusion, or the reinstatement of a student, coincides with a safeguarding investigation, the Designated Safeguarding Lead (or Deputy) should undertake the appropriate risk and needs assessments and take a leading role, supported by other agencies, to ensure the welfare and best interests of the child come first.

When a Headteacher/Principal decides that a student should be permanently excluded, he or she must follow Trust procedures by using the report, correspondence and agenda templates provided on the Trust cloud. These must be used in line with the procedures and timescales set out in DfE guidance.

Notification

Parents/carers, the student's social worker and the virtual school head (if relevant) must be informed without delay of the length and type of suspension, the reason(s) for suspension (including why an internal exclusion has not been used in response to persistent disruptive behaviour) or permanent exclusion and their right to make representations. Initially, this notification should be by telephone or in person followed by a letter without delay. The letter must also include information about:

- The parent/carers' right to make representations, how to do so and how the student can be involved;
- The parent/carers' right to attend any review of the exclusion;
- The fact that the student should not be in a public place during school hours; – The arrangements for the education of the student from the 6th day of exclusion; – Sources of free and impartial information.

Where alternative provision will be arranged from day 6, parents must be informed of the start date, name and address of the provider, start and finish time, and name of the person the student should report to on the first day.

Academies must, without delay, inform the Chair of the Academy Council of any exclusion of more than 5 days or an exclusion which will mean that the student will miss a public examination or national curriculum test. The Local Authority (LA) must also be notified of any exclusion and the reasons for it, including the additional requirements for students who have an EHCP.

Considering parental representations about exclusions

For any exclusion, parents/carers have the right to seek a review by members of the Academy Council, who will consider the reinstatement of the student. The type and duration of exclusion determines the process and timeframe for review.

Panels for the reviews referenced below may be comprised of members of the school's Academy Council and Academy Improvement Board. They may also include senior leaders from other Creative Education Trust academies and members of CET's central team of education directors.

Within 15 school days, a panel must meet to review:

- All permanent exclusions; during which the Headteacher/Principal must be present
- Suspensions that would result in a student missing a public examination or national curriculum test. If the student will miss a public exam or national curriculum test, the governing board must take reasonable steps to meet before the date of the examination. In exceptional circumstances, the Chair of the Academy Council may review the exclusion on behalf of the Academy Council;
- Suspensions that result in a student being excluded for more than fifteen days in one academic term.

If requested by the parent/carer, a suspension that takes the student's total number of days out of school during the term above six but below sixteen days must be reviewed by a panel within fifty school days of the exclusion being issued. The panel does not have the power to reinstate the student.

If requested by the parent/carer, a suspension of five or fewer days must be considered by a panel, but the panel does not have to meet the parent. The panel does not have the power to reinstate the student.

Members of the panel must be impartial, unprejudiced, have taken no previous part in the specific case, and have no personal interest in its result. The panel must ensure that all parties have an opportunity to make their representations and have their views heard before any decision is made.

The panel should proceed in accordance with the relevant sections of the statutory guidance.

The review panel may either decline to reinstate the student (upholding the Headteacher / Principal's decision) or direct reinstatement of the student. Panel members must consider the interests and circumstances of the suspended or permanently excluded student, and that of other students, staff and the school community.

Parents may be accompanied at the panel's review, on request, by a friend or representative. After the hearing, parties will be notified in writing as soon as possible of the outcome, with the reasons for the panel's decision.

Where the panel has upheld the decision of the Headteacher / Principal to exclude, parties will be notified of the statutory timeframe for applying to an independent review panel (15 school days from receiving the panel's decision), to whom an application must be sent and the right for parents to request a special educational needs expert. Parents/carers should also be notified of their right to bring an Equality Act claim for discrimination to the First Tier Tribunal (for disability discrimination) or to the County Court (for other forms of discrimination).

Reintegration

Suspension is a disciplinary mechanism used to improve behaviour. Academies will support students to successfully reintegrate into school life following a suspension and will have a reintegration strategy that offers students a fresh start. Upon reintegration, the student will always be welcomed back and will be reminded that they are a valued member of the school community.

Accordingly, all suspensions will result in a Pastoral Support Plan (or equivalent) being set up after the student's reintegration. The aim of this plan will be to minimise the likelihood of the student being suspended again. The plan will set out what it is that the student will do differently and how leaders and teachers at the school will support them in this. The plan should be co-produced by school leaders, the student and their parents/carers. The plan should be regularly reviewed and updated/amended if the student is suspended from school after its introduction. In such instances, it is likely that the support/interventions initially identified will change. Schools will clearly document all previous interventions offered (including impact), as well as their response to safeguarding considerations and / or any SEND assessments.

Parents/carers will always be invited to the reintegration meeting. If they do not attend, they will be sent a copy of the reintegration plan and invited to return it with any comments that they wish to make.

Reviews where students have served multiple suspensions:

Should a student serve three external suspensions, in any given term, or more than three during any given academic year, the student and their parents will be invited to a meeting of relevant professionals, as determined by the Headteacher/Principal. Such meetings may include the student's form tutor, senior leaders with responsibility for behaviour, the SENDCO, and leaders responsible for safeguarding and attendance. The purpose of the meeting will be to discuss the impact of previous forms of support that have been offered, and to consider any other ways forward. This meeting will also serve as the formal reintegration meeting that welcomes the student back to the school community. The Headteacher/Principal may arrange further such meetings should the student continue to receive sanctions thereafter. Such meetings may also be organised at the request of a parent who is concerned that their child is accumulating sanctions, even where the defined threshold above has not been reached.

Where a student's unacceptable behaviour continues despite all reasonable attempts to support them having been tried and been given the chance to work, the Headteacher/Principal may convene a panel of Academy Council members to review the support that the school has offered, alongside the student's response to this. Parents and students will

always be invited to attend such meetings so that any contextual issues, and further potential sources of support, can be explored and the risk of further sanctions minimised.

Independent Review Panel Procedure

If a permanent exclusion is upheld, parents/carers must be informed of their right to seek an independent review of the Academy Council's decision and the deadline for seeking such a review. The Independent Review Panel cannot direct an Academy Council to reinstate a student. It may:

- a) uphold the exclusion;
- b) recommend that the Academy Council reconsiders its decision;
- c) quash the original Academy Council's decision and direct Academy Council members to reconsider its decision.

Final Stages of Appeal

If an Independent Review Panel upholds an exclusion and a parent is unhappy with this outcome, the two remaining legal options available are a discrimination claim in court, or an application for a judicial review in the High Court.

Oversight by The Trust and Governance

The role of the trust and governors is one of active oversight and accountability. In addition to ensuring exclusions are lawful, proportionate and non-discriminatory - and that suspensions lead to positive outcomes rather than drift and disengagement – trustees and governors will monitor off-site directions, including the use of external AP.

Off-site directions can be set by the school to support behaviour and do not require parental agreement, although the views of the student and family will always be considered.

Managed moves still require agreement from all parties, are immediately permanent and do not include trial periods. Managed moves are an in-year admission; therefore, where one of our schools is full and operating a waiting list for that year group, it will not be able to agree to a managed move in practice.

Trustees and governing bodies will review off-site directions to ensure they are safe, suitable and high quality, meeting the student's individual needs, including curriculum entitlement. Placements must be clearly planned, time-limited and regularly reviewed, with defined next steps (e.g. reintegration or managed move).

Parents - and the local authority for students who are LAC and/or with an EHC plan - will be informed in writing and have the right to request a review by the governing board. Review meetings will include the school, parents, the student and relevant professionals, with clear monitoring points and written records. These should take place regularly and will be shared with governance. Following each review, the governing board will write to parents within six days confirming whether the placement will continue, for how long, and why.

Existing placements in place before 26 July 2026 will be brought into line with the new requirements as soon as possible.

Monitoring and Review

The implementation and impact of this policy will be regularly monitored to ensure that exclusions are used appropriately, proportionately, and in line with statutory guidance.

The Headteacher/Principal will:

- Maintain accurate records of all fixed-term suspensions and permanent exclusions, including reasons, duration, and student characteristics.
- Monitor patterns and trends in suspensions and permanent exclusions, including by vulnerable groups (e.g. students with SEND, those eligible for pupil premium, and those with safeguarding concerns), to identify any disproportionality.
- Report exclusion data and analysis to the governing body on a termly basis.

The Academy Improvement Board/Trustees will:

- Review suspension, permanent exclusion and alternative provision data regularly to ensure that the policy is being applied fairly, consistently, and lawfully.
- Challenge and support school leaders where patterns suggest a need for further intervention or review of practice.
- Ensure that appropriate reintegration support is in place for students returning from suspension.

This policy will be formally reviewed annually, or sooner if there are changes to statutory guidance