

What is suspension and permanent exclusion from school?

Suspension is the formal sending home of a pupil from school for disciplinary reasons (breaking school rules within the behaviour policy), the pupil may be permanently excluded which means that they are not allowed back into school unless the Governors re-instate them. Decisions to exclude or suspend a pupil must be lawful, reasonable and fair. Schools have a duty to comply with the law captured within [statutory guidance Exclusion from Maintained Schools, Academies and Pupil Referral Units in England \(2017\)](#)

Types of exclusions

- [Fixed Term Suspensions](#) - these are short term exclusions and pupils must be given a date for return to school. A return date should be given to parents in the letter informing them of the suspension.
- [Permanent Exclusion](#) - these are the most serious sanction a school can give if a child does something that is against the school's behaviour policy. Permanent exclusion should only be used as a 'last resort' and is given for a very serious incident or repeated and persistent breaches of policy that have not improved despite support. The Local Authority must arrange full time education from the 6th day of the exclusion.

It is never legal for any school to send a pupil home to 'cool off' even when parents have agreed. Any pupil sent home because of their behaviour must be recorded as an [official suspension or exclusion](#).

Who can exclude or suspend a pupil from School?

Only the head teacher or academy principal (or Acting Headteacher/Principal) has the power to exclude or suspend a pupil.

What should a head teacher or academy principal consider before a decision to permanently exclude a pupil?

A [head teacher should take into account](#) the outcome of any investigation into the incident and any contributory factors that are identified after an incident of poor behaviour has occurred e.g. bereavement, mental health issues or bullying; special educational needs and disabilities of a pupil; underlying causes of disruptive behaviour; whether suspension is providing an effective sanction where a pupil has received multiple suspensions; the needs of pupils eligible for Free School Meals; children looked after and pupils from minority ethnic groups.

Can I challenge the decision to exclude/suspend my child from school?

The letter from the Head will tell you your rights and how to make representations to the Governing Body.

- Suspension of 5 school days or less in one term: Governors do not have a statutory duty to consider the suspension unless you request this. The only exception to this is if the suspension would result in your child missing a public exam (for example GCSE).
- Suspensions of more than 5 days but fewer than 15 days in one term: Governors must meet with parents if requested within 50 school days
- Suspensions of more than 15 days, either as one suspension or in total in one term: Governors must meet to review the suspension(s).
- Permanent exclusions: Governors must consider the reinstatement of the excluded pupil, more details can be found on [this guidance](#).

What happens if Governors do not reinstate a pupil?

If the Governors' Disciplinary Committee decides that your child should not be reinstated a parent can request the decision is reviewed by an Independent Review Panel. This must be requested within 15 school days from receipt of the Governors' decision letter. More details can be found on [this guidance](#).

Where can I get further information, advice and support?

Bradford School Exclusions Team can also offer impartial advice. 01274 439333
exclusionsteam@bradford.gov.uk

Coram Children's Legal Centre 0808 802 0008 www.childrenslegalcentre.com

If you require advice related to special education needs and disability or making a claim of discrimination to the First-tier Tribunal: www.gov.uk/courts-tribunals/first-tier-tribunal-special-educational-needs-and-disability or the County Court.