River Bank
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Internal Exclusions, Suspensions and Permanent Exclusions Policy

River Bank Primary School

October 2026

Introduction

This policy is supported by The School Discipline (Pupil Exclusions and Reviews) (England) Regulations 2012, accompanied by statutory guidance on school exclusions issued by the Department for Education, Suspension and Permanent Exclusion from maintained schools, academies and pupil referral units in England including pupil movement (updated July 2026).

~~It sets out the process by which exclusions and appeals are managed by River Bank Primary School.~~ This policy sets out River Bank Primary School's arrangements for internal exclusion, suspension and permanent exclusion, including parental representations, governing board consideration of reinstatement and independent review.

This policy should be read in conjunction with and with reference to:

- behaviour management policy
- anti-bullying policy
- special educational needs and disability (SEND) policy
- safeguarding policy
- Working together to improve school attendance
- Keeping children safe in education 2026

Aims

Valued behaviour at River Bank Primary School is essential to ensure that all pupils can benefit from the opportunities provided and fulfil their potential. We will endeavour to avoid permanent exclusion wherever possible and use only as a last resort, in response to a serious breach, or persistent breaches, of the school's behaviour policy; and where allowing the pupil to remain in school would seriously harm the education or welfare of the pupil or others in the school. We will ensure that any decisions to exclude are not made in a way which unfairly and disproportionately affects particular ethnic groups, pupils with disabilities or those with SEND.

Suspension and permanent exclusion decisions will be lawful, reasonable and procedurally fair and will take account of the individual circumstances of the pupil, including any relevant safeguarding, SEND, disability, health, social care and equality considerations.

Definition

Exclusion, within this policy may be one of three types:

- Internal Exclusion (removal from normal lessons while remaining in school)
- Suspension (the term suspension is a reference to what is described in the legislation as an exclusion for a fixed period) determined by the headteacher, or a person formally appointed as acting headteacher.
- Permanent Exclusion (where steps are taken to permanently remove the pupil from the school)

Rationale

Suspension and permanent exclusion will be considered in response to breaches of the school's behaviour policy, taking account of the individual circumstances and the school's legal duties. Permanent exclusion will be used only as a last resort, in response to;

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

The Law

Only the headteacher, including a person formally appointed as acting headteacher, can suspend or permanently exclude a pupil. Such decisions must be made on disciplinary grounds. A pupil 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 suspension does not have to be for a continuous period. In exceptional cases, usually where further evidence has come to light, an additional suspension may be issued to begin immediately after the first period ends. Also in exceptional circumstances, a permanent exclusion may be issued to begin at the end of a suspension.

The headteacher can cancel any exclusion that has already begun (or one that has not yet begun), but this can only happen when the governing board has not yet met to consider whether the pupil should be reinstated. Where an exclusion is cancelled:

- the headteacher must notify the parents, the governing board, the LA and the pupil's social worker and VSH as applicable, without delay. The notification must also provide the reason for the cancellation;
- the governing board's duty to consider reinstatement ceases, and there is no requirement to hold a meeting to consider reinstatement;
- parents (or the excluded pupil if they are 18 years or older) should be offered the opportunity to meet the headteacher to discuss the circumstances that led to the exclusion being cancelled which should be arranged without delay;
- the pupil must be allowed back into the school from which they were excluded without delay.
- any days spent out of school as a result of any exclusion, prior to the cancellation will count towards the maximum of 45 school days permitted in a single school year, including exclusions at other schools.

A permanent exclusion cannot be cancelled if the pupil has already been excluded for more than 45 school days in the school year, or would have exceeded this total by the time the cancellation takes effect.

Any decision of the school, including suspension and permanent exclusion, must be made in line with the principles of administrative law, i.e. that it is: lawful (with respect to the legislation relating directly to exclusions and a school's wider legal duties, including the European Convention of Human Rights); rational; reasonable; fair; and proportionate.

Headteachers, or person formally appointed as acting headteacher, must take account of their legal duty of care when sending a pupil home following 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, rather than the criminal standard of 'beyond reasonable doubt'.

Responsibility for Suspension and Exclusion

Only the headteacher (or, in the absence of the head, a person formally appointed as acting headteacher) can suspend or permanently exclude a pupil.

Causes for Internal Exclusion, Suspension or Permanent Exclusion

Internal exclusion, suspension and permanent exclusion may be used for any of the following, all of which constitute examples of unacceptable conduct and are infringements of the school's Behaviour Policy:

- Actions that put the pupil or others in danger
- Verbal or threatening behaviour against an adult
- Verbal or threatening behaviour against a pupil
- Physical assault against an adult
- Physical assault against a pupil
- Bullying
- Racist abuse
- Indecent behaviour
- Abuse against sexual orientation or gender reassignment
- Abuse relating to disability
- Damage to property
- Possession, misuse or supplying of illegal drugs
- Possession, misuse or supplying of other substances
- Theft
- Sexual abuse or assault
- Carrying an offensive weapon (o*ffensive weapons are defined in the Prevention of Crime Act 1953 as "any article made or adapted for causing injury to the person; or intended by the person having it with him for such use by him."*
- Arson
- Unacceptable behaviour that has previously been reported and for which school sanctions and other interventions have not been successful in modifying the pupil's behaviour

This is not an exhaustive list and there may be other situations where the headteacher makes the judgment that suspension or exclusion is an appropriate sanction.

The presence of a particular behaviour on this list does not mean that suspension or permanent exclusion will automatically follow. The headteacher will consider the individual circumstances, seriousness, impact, relevant context and school's legal duties before deciding the appropriate response.

The school will consider police involvement for any of the above offences.

Internal Exclusion, Suspension and Permanent Exclusion Procedures

Internal Exclusion

Internal exclusion may be used where a pupil's behaviour warrants removal from normal lessons while remaining in school. The decision will take account of the seriousness and circumstances of the incident, the pupil's needs and the support already provided. It will be proportionate, time-limited and appropriately supervised, with meaningful work provided. Pupils will continue to have appropriate access to food, drinking water, toilets and supervised breaks.

Internal exclusion will be proportionate, time-limited and appropriately supervised. The school will consider reasonable adjustments for pupils with disabilities and the needs of pupils with SEND.

Parents/carers will be informed and invited into school for a meeting with a member of the senior leadership team where there is a concern about a pupil's risk of exclusion. The specific concerns will be shared and support plans developed in collaboration with the parent/carer. The protocols and procedures for suspensions and permanent exclusions will be shared with parents/carers at this stage.

Suspension (the term suspension is a reference to what is described in the legislation as an exclusion for a fixed period)

A suspension is of short duration (usually between one and five days) and may be necessary if a pupil commits an offence which is considered so serious, that it would not be appropriate for an internal exclusion. In the case of suspensions, the Department for Education allows the headteacher to suspend a pupil for one or more fixed periods not exceeding 45 school days in any one school year.

During a suspension, the pupil must not attend the school premises unless their attendance has been expressly authorised. For the first five school days of the suspension, parents/carers must ensure that their child is not in a public place during school hours without reasonable justification. Failure to comply may result in a penalty notice or prosecution.

The school will set and assess work for pupils who are suspended for the first five days of the suspension. This might include using online pathways such as Google Classroom and Oak National Academy. Reasonable adjustments will be made for pupils with disabilities.

Suspension may also be for part of the school day. For example, if a pupil's behaviour at lunchtime is disruptive, they may be suspended for the duration of this period. The legal requirements remain the same and parents/carers will be notified. These suspensions will count as half a day.

For a suspension of more than five school days, the governing board must arrange suitable full-time education for any pupil of compulsory school age beginning no later than the sixth school day. Parents/carers will be informed of the arrangements and must ensure that their child attends the provision.

The school will inform parents immediately by phone call when the decision has been taken to issue a suspension for their son/daughter. This will be followed, subsequently by a letter in which the terms of the suspension are set out, together with the time and date of the reintegration meeting. Parents/carers will be informed of their right to make representations to the governing board, including how and to whom those representations should be made.

Permanent Exclusion

The decision to permanently exclude a pupil is a serious one and will not be taken lightly. We recognise the potential impact on the pupil's education and future opportunities. Permanent exclusion may be considered where there has been a serious breach, or persistent breaches, of the school's behaviour policy and where allowing the pupil to remain in school would seriously harm the education or welfare of the pupil or others. Permanent exclusion will only be used as a last resort.

There are two main types of situations in which permanent exclusion may be considered.

1. A final, formal step in a concerted process for dealing with disciplinary offences following the use of a wide range of other strategies. It is an acknowledgement that all available strategies have been exhausted and is used as a last resort. This would include persistent breaches of the school's behaviour policy, including bullying or repeated possession and/or use of an illegal drug on school premises and where allowing the pupil to remain in school would seriously harm the education or welfare of others such as staff and pupils in the school.

2. Where there are exceptional circumstances and it is not appropriate to implement other strategies and where it could be appropriate to permanently exclude a pupil for a serious breach of the school's behaviour policy where allowing the pupil to remain in school would seriously harm the education or welfare of others such as staff and pupils in the school. These might include the causes listed above on page 4.

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

- Ensure that appropriate investigations have been carried out.
- Ensure that all evidence available to support the allegations have been collated, considering the school's Behaviour and Equality Policies.
- Ensure that the pupil has been allowed to give her/his version of events.
- Consider any evidence that the incident was influenced by bullying, racial or sexual harassment or any other relevant circumstances.
- Consider working with an alternative provision provider for outreach support or exploring short-term places as a time limited intervention as a way of improving future behaviour, not as a sanction.
- Consider a managed move. These should be voluntary, agreed by all parties and only in the best interests of the pupil.

Where the headteacher finds, on the balance of probabilities, that the alleged behaviour occurred, they will determine the appropriate response after considering the individual circumstances, relevant support and the school's legal duties. Permanent exclusion will be considered only where the criteria set out in this policy are met.

For a permanently excluded pupil of compulsory school age, the local authority must arrange suitable full-time education from the sixth school day. The school will take reasonable steps to set and mark accessible work during the first five school days where alternative provision is not available.

The local authority will be notified without delay of every suspension and permanent exclusion. Where the pupil has a social worker, the social worker will also be notified without delay. Where the pupil is looked after, the virtual school head will be notified without delay.

Exercise of Discretion

In reaching a decision on suspension or permanent exclusion, the headteacher will always look at each case on its own merits, in conjunction with any previous incidents. Therefore, a tariff system, fixing a standard penalty for a particular action, is both unfair and inappropriate. In considering whether permanent exclusion is the most appropriate sanction, the headteacher will consider:

- The gravity of the incident, or series of incidents, and whether it constitutes a serious breach of the behaviour policy
- The effect that the pupil remaining in the school would have on the education and welfare of other pupils and staff. Possession of an offensive weapon will be treated as an extremely serious matter and may result in permanent exclusion. The headteacher will consider the individual circumstances and the school's legal duties before reaching a decision. The police may also be informed where appropriate.

In line with its statutory duty, these same two tests of appropriateness will form the basis of the deliberations of the Governors' Exclusion Panel when it meets to consider the headteacher's decision to permanently exclude. This committee will require the headteacher to explain the reasons for the decision and will look at appropriate evidence, such as the pupil's school record, witness statements and the strategies used by the school to support the pupil prior to permanent exclusion.

The school will inform parents immediately by phone call when the decision has been taken to issue a permanent exclusion for a pupil. This will be followed, subsequently by a letter in which the terms of the permanent exclusion are set out. Parents/carers will be informed of their right to make representations to the governing board. If the governing board decides not to reinstate the pupil, parents/carers will be informed of how to request an independent review.

The local authority will be notified without delay of every suspension and permanent exclusion. Where the pupil has a social worker, the social worker will also be notified without delay. Where the pupil is looked after, the virtual school head will be notified without delay.

Pupils with SEND and Permanent Exclusion

Whether or not the school recognises that a pupil has special educational needs or disability (SEND), all parents have the right to request the presence of a SEND expert at an independent review panel (IRP). The SEND expert's role is to provide impartial advice to the panel about how SEND could be relevant to the permanent exclusion; for example, whether the school acted reasonably in relation to its legal duties when suspending or excluding the pupil. Parents/carers may apply for an independent review following the governing board's decision not to reinstate a permanently excluded pupil.

Review of Internal Exclusions, Suspensions and Permanent Exclusions

The senior leadership team will monitor all internal exclusions, suspensions and permanent exclusions from the school to identify patterns, evaluate the effectiveness of support and interventions, and inform improvements to behaviour practice.
Where a suspension would result in a pupil being suspended for more than five but not more than 15 school days in a term, and the parents/carers make representations, the governing board must consider and decide within 50 school days of receiving notice of the suspension whether the pupil should be reinstated. In the absence of representations from parents/carers, the governing board is not required to meet and cannot direct reinstatement.

The governing board has a duty to consider parents' representations about a suspension or permanent exclusion. The requirements on a governing board to consider the reinstatement of a suspended or permanently excluded pupil depend upon a number of factors.
The governing board may delegate to a committee of the trust board, including a local governing body, if the trust's articles of association allow them to do so.

The governing board must consider and decide whether a suspended or permanently excluded pupil should be reinstated within 15 school days of receiving notice from the headteacher where:

- the pupil has been permanently excluded;
- a suspension would bring the pupil's total number of school days suspended to more than 15 school days in a term; or
- the suspension or permanent exclusion would result in the pupil missing a public examination or National Curriculum test.

The requirements are different for suspensions where a pupil would be excluded for more than five but not more than 15 school days in a term. In this case, if the parents make representations, the governing board must consider and decide within 50 school days of receiving the notice of suspension whether the suspended pupil should be reinstated. In the absence of any representations from the parents, the governing board is not required to meet and cannot direct the reinstatement of the pupil.

The governing body will invite a clerk to be present to make a record of any discussions on reinstatement, which clearly records how decisions have been reached.

Independent review of a permanent exclusion

Where parents dispute the decision of a governing body not to reinstate a permanently excluded pupil, they can ask for this decision to be reviewed by an independent review panel (IRP). Where there is an allegation of discrimination (under the Equality Act 2010) in relation to permanent exclusion, parents can also make a claim to the First-tier Tribunal (for disability discrimination).

An independent review panel does not have the power to direct a governing body to reinstate an excluded pupil. However, where a panel decides that a governing body's decision is flawed when considered in the light of the principles applicable on an application for judicial review, it can direct a governing body to reconsider its decision.

The panel may only quash the decision of the governing body if the school has acted "illegally, irrationally or where there are significant flaws in procedure".

- Illegally – did the headteacher and/or governing body act outside the scope of their legal powers in taking the decision to exclude
- Irrationally – was the decision of the governing body not to reinstate the pupil so unreasonable that it was not one a sensible person could have made?
- Procedural impropriety – was the process of exclusion and the governing body's consideration so unfair or flawed that justice was clearly not done?

Following an IRP direction to reconsider, the governing board must reconsider within ten school days. A £4,000 financial adjustment or payment applies where ordered and the pupil is not reinstated.

Parents/carers can request for access to governing board meetings and independent review panels (IRPs) to be held remotely. Parents/carers will be notified of their right to make this request. Meetings can also be held remotely in the event of unforeseen or extraordinary circumstances e.g. floods, fire, infectious disease.

Alternatives to Permanent Exclusion

Alternative strategies to permanent exclusion are always used if possible and the threat of a permanent exclusion will never be used as the means to coerce parents to move their child to another school.

Separation of pupils for safeguarding purposes

In exceptional circumstances, the school may temporarily prevent a pupil from attending the school premises where this is necessary to safeguard pupils and staff, such as following an allegation of harm by one pupil against another that requires physical separation. This action is a safeguarding measure and does not constitute a suspension or exclusion on disciplinary grounds. Such arrangements will only be used in rare circumstances where separation is essential and cannot reasonably be achieved whilst allowing all pupils to remain on site safely. The Headteacher will make this decision in consultation with the Designated Safeguarding Lead (DSL) or Deputy DSL, and parents/carers will be informed promptly of the reasons for the temporary measure. The Governing Board will also be notified without delay. The local authority must arrange education if neither the school nor the parent does so. The school will record the safeguarding rationale, education arrangements and review dates, and keep the measure under regular review.

Behaviour Outside School

Pupil behaviour outside school on school "business" for example educational visits, travelling to and from school as well as in the community when they can be identified as a member of the school is subject to the school's behaviour policy. Detrimental behaviour in these circumstances will be dealt with as if it had taken place in school. Serious infringements of the school's behaviour policy that occur 'outside of' the school may lead to a suspension or permanent exclusion.

Re-integration following suspension or other periods away from school

The school will support pupils to reintegrate successfully into school life and full-time education following a suspension, a period of off-site direction or separation for safeguarding purposes. School will design a reintegration strategy that offers the pupil a fresh start; helps them understand the impact of their behaviour on themselves and others; teaches them to how meet the high expectations of behaviour in line with the school culture; fosters a renewed sense of belonging within the school community; and builds engagement with learning.

The reintegration strategy should be clearly communicated at a reintegration meeting before or at the beginning of the pupil's return to school. During a reintegration meeting, school will communicate to the pupil that they are valued, and their previous behaviour should not be seen as an obstacle to future success. Where possible this meeting should include the pupil's parents. However, it is important to note that a pupil should not be prevented from returning to a mainstream classroom if parents are unable or unwilling to attend a reintegration meeting. To ensure ongoing progress, the strategy should be regularly reviewed and adapted where necessary throughout the reintegration process in collaboration with the pupil, parents, and other relevant parties.

Where necessary, schools will work with relevant staff and multi-agency organisations, such as teachers, pastoral staff, mentors, social workers, educational psychologists or the safer schools' team, to identify if the pupil has any SEND and/or health needs.

A part-time timetable will not be used to manage a pupil's behaviour. In very exceptional circumstances, a temporary part-time timetable may be agreed to meet a pupil's individual needs. It will be in place for the shortest necessary period, with agreement from parents/carers, regular reviews and a clear plan for returning to full-time education. The school will follow the applicable leave-of-absence requirements and record attendance using the appropriate codes.

School will consider a range of measures to enable the pupil's successful reintegration which can include, but are not limited to:

- Maintaining regular contact during the suspension or off-site direction and welcoming the pupil back to school;
- Daily contact with a designated pastoral professional in-school;
- Use of a report card with personalised targets leading to personalised rewards;
- Ensuring the pupil follows an equivalent curriculum during their suspension or off-site direction or receives academic support upon return to catch up on any lost progress;
- Planned pastoral interventions;
- Mentoring by a trusted adult or a local mentoring charity;
- Regular reviews with the pupil and parents to praise progress being made and raise and address any concerns at an early stage;
- Informing the pupil, parents and staff of potential external support.

Dissemination of the Policy

A copy of this Policy is available to download from the school web site.

Signed: 

Adopted: October 2026

Review Date: October 2027