1B Suspensions and Permanent Exclusion Policy

Reviewed: Principal - Nov 2026 (Review as required, but at least every 2 years)
Ratified by Trustees: Nov 2026
Next Review date: Autumn Term 2028
EDI Assessment: SSET does not currently identify any EDI impact of this policy; should new information come to light, this will be considered at the next review

Introduction
The Sheiling Ringwood (TSR) is committed to providing high-quality care and education for all our students. We endeavour to equip students with the skills, knowledge and attitudes necessary to fulfil their potential. Our aim is to provide a happy and safe environment where students can learn free from disruption.

This Suspensions and Permanent Exclusion Policy applies to all students at TSR and complies with the National Schools and Colleges Contract as entered into by TSR. The aim of this policy is to support TSR's Behaviour Policy and to set out a fair procedure to follow when a student is required to leave TSR.

Principal's power to suspend or permanently exclude
In normal circumstances, the decision as to when a student leaves TSR will be agreed upon through the annual review process at least 1 term before the scheduled date of leaving. TSR will inform the placing authority at an early stage of any situation likely to lead to a permanent exclusion in order to give the placing authority the opportunity to seek to resolve matters.

If a student's placement suddenly breaks down, TSR will, where possible, arrange an emergency review to determine the best way forward for the student. The placing authority will be notified and will be expected to send a representative. It may, however, be necessary to make decisions in the absence of a representative if they cannot attend.

In certain circumstances, the Principal may suspend a student from TSR on disciplinary grounds for 1 or more fixed periods (of up to 45 term-time days in an academic year) or exclude a student permanently. A suspension does not have to be for a continuous period; for example, the student may be suspended for lunchtimes if their behaviour at lunchtime is disruptive. Each lunchtime will count as a half-day exclusion.

Suspension or permanent exclusion may be used in a number of circumstances, including for:

- Exhibiting bullying behaviours.
- Harm to others in the Sheiling community.
- Sexual abuse or harassment of others, including non-consensual sharing of nudes or semi-nude images and/or videos.
- Actual or threatened violence or intimidation.
- Disruptive and/or unmanageable behaviour.
- Wilful damage to, or theft of, property belonging to TSR or others in the Sheiling community.
- Misuse or possession of banned substances, including illegal drugs or alcohol.
- Bringing illegal, inappropriate or dangerous items into TSR, such as weapons, firearms, pornographic material etc.
- Committing a criminal offence.
- Unsafe behaviours that compromise safeguarding of the student and/or others.
- Behaviours of concern that through their frequency, type or severity cannot be safely managed through TSR's positive behaviour support approaches.
- Behaviour affecting another individual's health and safety.

Suspension or permanent exclusion may be used both for incidents at TSR and also behaviour outside of TSR. This includes on educational visits and whilst travelling to and from TSR. Furthermore, it may apply where the student's behaviour could have repercussions for the orderly running of TSR or could adversely affect the reputation of the TSR. In all cases, sanctions may apply whether the behaviour took place in person or online.

A student may also be permanently excluded if, in the opinion of the Principal, they have transgressed so much that their position within TSR becomes untenable. These are non-exhaustive examples and the Principal will consider the appropriate action following each incident.

Suspension and Permanent Exclusion Procedure

A permanent exclusion should only be used as a last resort where there has been a serious breach or repeated breaches of TSR's Behaviour Policy and where allowing the student to remain would harm the education or welfare of the student or others at TSR.

For all suspensions and permanent exclusions, the Principal will consider safeguarding factors including child-on-child abuse, sexual violence, sexual harassment, discriminatory behaviour and prejudice-based harm when determining whether either sanction is appropriate. The Principal will, where necessary, consult with the Designated Safeguarding Lead on any safeguarding matters although, at TSR, the Principal is currently also the DSL.

Any decision to suspend or permanently exclude a student must be lawful, reasonable, fair and in accordance with the principles of natural justice. The Principal must carry out a sufficient investigation of the facts to justify the decision whether or not to suspend or permanently exclude. The Principal will apply the civil standard of proof "on the balance of probabilities" when establishing the facts in relation to a suspension or permanent exclusion decision. When making a decision, the Principal will take into account such factors as the student's welfare and also the welfare of the Sheiling community as a whole.

The Principal will also take into account any mitigating factors; for example, where a student has been subject to bullying or there has been a recent bereavement before deciding to suspend or permanently exclude.

A student and their parents/carers/guardians should be told the nature of the allegation that is being made against them. The Principal will, where practical, give the student and their parents/carers/guardians an opportunity to present their case before making a decision to suspend and/or permanently exclude. If the Principal decides to suspend and/or permanently exclude a student, this must be a proportionate decision taking into account the seriousness of the conduct.

For proposed permanent exclusions, the Principal must notify the placing authority by telephone immediately and provide written confirmation within 3 working days. The Principal must give the parents/carers/guardians and the placing authority an opportunity to attend a meeting to discuss the matter within 15 working days (a decision may be made in their absence if they cannot attend). The Principal may take a further 5 working days to consider any representations and to determine whether to implement a permanent exclusion.

When the Principal suspends a student for a fixed period they will, without delay, notify parents/carers/guardians and the placing authority of the period of suspension and the reasons for it. TSR will provide notification to the placing authority by telephone at the earliest opportunity and confirm this in writing within 24 hours. The Principal will, where practical, give the student and their parents/carers/guardians an opportunity to present their case. The Principal is not obliged to arrange a meeting and may seek written representations from parents/carers/guardians.

The Principal may, if appropriate, withdraw a suspension or permanent exclusion that has not been reviewed by the Board of Trustees. Where a suspension or exclusion is cancelled, the Principal must notify the parents/carers/guardians, the SSET Board of Trustees and the

local authority without delay. The notification must also provide the reason for the cancellation. The student will be allowed back to TSR without delay.

In circumstances where the student's behaviour could be construed as criminal, the Principal may contact the police without giving notice to the parents/carers/guardians. Any steps to suspend or permanently exclude a student will usually run parallel with any criminal proceedings. However, in certain circumstances, TSR's process may need to be postponed pending the outcome of the police investigation.

Separation of students for safeguarding purposes

In certain circumstances, the Principal can temporarily forbid a student from attending TSR's premises; for example, due to an allegation of harm by one student against another which may require physically separating a student from one or other students. This is not a suspension on disciplinary grounds.

TSR should inform parents/carers/guardians of the reason why the student has been temporarily forbidden from attending its premises. The SSET Board of Trustees should also be notified without delay and ensure this is used for rare circumstances, only when separating students is essential and cannot practicably be done in a way that lets the student remain on the premises. The Principal will act reasonably, rationally and in a procedurally fair manner. Any decision to temporarily forbid a student from attending for safeguarding reasons will be for the Principal to make on a case-by-case basis, using their professional judgement, supported by other agencies, such as children's social care and the police.

Part 5 of Keeping Children Safe in Education 2026 ('KCSIE') provides schools with information on managing reports of child-on-child sexual violence and harassment and sets out the legal duties placed on schools: "When there has been a report of sexual violence, the DSL (or a deputy) should make an immediate risk and needs assessment. Where there has been a report of sexual harassment, the need for a risk assessment should be considered on a case-by-case basis." In all cases, TSR will follow its Safeguarding Policy.

Equality

TSR will take into account its legal duties under the Equality Act 2010 and not discriminate against students on protected grounds including sex, race, disability, religion or belief, sexual orientation or gender reassignment.

Before making a decision to suspend or permanently exclude a student, the Principal will consider whether the behaviour may be linked to:

- the student's special educational needs
- disability
- communication needs
- unmet therapeutic needs
- safeguarding concerns and/or
- the effectiveness and implementation of the student's EHCP

Evidence of reasonable adjustments, positive behaviour support strategies and therapeutic interventions will be reviewed before a decision is made.

The Principal recognises that all students at TSR have an Education Health and Care Plan (EHCP). Where there are concerns about a student's behaviour, TSR will try to intervene early to reduce the need for suspension and will make any reasonable adjustments to support behaviour related to their disability. The Principal will also take into account any contributing factors; for example, where a student has been subject to bullying.

Unofficial Exclusions
TSR will not use informal or unofficial exclusions. Students will not be sent home, collected early or placed on reduced timetables as an alternative to a formal suspension unless this forms part of an agreed and documented plan.
TSR will not exercise undue influence over a parent/carer/guardian to remove their child under the threat of a permanent exclusion.

Duties following suspension or permanent exclusion
For a fixed period suspension, where the student has a residential placement, the student shall be returned home or to the placing authority. TSR must ensure that work is either provided for the student to undertake and/or guidance is given with regards to activities during the suspension period.

TSR will convene a meeting at the earliest opportunity and in all cases within 5 working days with the placing authority to agree a strategy plan for the student's return. If the student is a 'looked after child', then TSR must convene an urgent review meeting to agree the next steps.

For permanent exclusions, the local authority must arrange suitable full-time education for the student.

SSET Board of Trustees review panel
If requested by the student's parents/carers/guardians, the Board of Trustees will establish a review panel to review the decision of the Principal to permanently exclude a student. The timeframe for an application by the parents/carers/guardians is within 10 working days of notice being given by the Principal of their decision. A review must then take place within 20 working days of the day on which the application for a review was made by the parents/carers/guardians. A review will not normally take place during school holidays.

In the case of a fixed period of suspension, the Board of Trustee's review panel may consider any representations from parents/carers/guardians but cannot direct that the Principal considers reinstatement. The Board of Trustees is also not required to arrange a meeting with the parents/carers/guardians.

The review panel will comprise 3 Trustees from the Board of Trustees. No member of the review panel should have had prior involvement with the matter being reviewed and a member must not sit on the panel if there is any conflict. Parents/carers/guardians will be notified in advance of the names of the panel members. Fair consideration will be given to any bona fide objection to a particular member of the review panel. The review meeting will normally take place at TSR's premises but may also be convened via an online Teams/Zoom meeting.

All evidence relied on by the Principal to support the decision must be disclosed to the parents/carers/guardians in advance of the review meeting. The review is non-adversarial. Parents/carers/guardians attending the review meeting will have a right to bring a friend or family member, but legal representation is not considered necessary. Everyone is expected to show courtesy, restraint and good manners. The review meeting is a private procedure and all those who are involved in it are required to keep its proceedings confidential.

The Chair of the review panel may terminate the review meeting at their discretion. In these circumstances, the original decision of the Principal to exclude the student will stand.

The role of the review panel hearing is to review the Principal's decision to permanently exclude the student. The panel can decide to:

- Uphold the Principal's decision; or
- Overturn the decision and direct that the Principal reconsiders reinstatement.

The panel may only overturn the Principal's decision if it considers that it was flawed when considered in light of the principles applicable on an application for judicial review. The panel should apply the following tests:

- Illegality – did the Principal act outside the scope of their powers?
- Irrationality – was the decision so unreasonable that no reasonable Principal could make it?
- Procedural impropriety – was the Principal's decision so procedurally flawed that justice was not done?

In considering the Principal's decision, the review panel shall be entitled to consider the whole history of the student at TSR, including any warnings previously given by the Principal or other members of the staff, and shall not be restricted to consideration of the particular matter that triggered the Principal's decision to permanently exclude.

The review panel's decision will be taken by a majority vote. The review panel must issue notification to the Principal, parents/carers/guardians and the placing authority of its decision without delay.

Duty to reconsider reinstatement
Where the review panel directs that the Principal reconsiders reinstatement, the Principal must conscientiously reconsider reinstatement looking afresh at the question in light of the panel's findings within 10 working days of notice of this decision. The Principal may reach the same decision as they had previously but, if they refuse to reinstate the student, they will need to show clear justification.

Discrimination
If the parents/carers/guardians believe that that there has been unlawful discrimination in relation to the suspension or permanent exclusion, they may make a claim to the First Tier Special Educational Needs and Disability Tribunal in the case of disability discrimination or, for other forms of discrimination, to the County Court.

Review
The Board of Trustees will review and evaluate the data on TSR's use of suspension and permanent exclusion. The Board of Trustees will consider:

- interventions in place to support students at risk of permanent exclusion
- the timing of suspensions and exclusions and whether there are any pattern and
- characteristics of permanently excluded students

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