

Anglo European School

Exclusions Policy



Last reviewed 08/09/2026

This policy is regularly reviewed following recommended guidelines

Introduction

¹ Anglo European School must ensure that exclusion procedures comply with statutory guidance from the Department for Education (DfE), last updated in July 2026. (*Department for Education publication – Suspension and permanent exclusion from maintained schools, academies and pupil referral units in England, including pupil movement Guidance for maintained schools, academies, and pupil referral units in England July 2026*). The school will ensure that no practice, including off-site direction or safeguarding measures, is used in a way that could constitute an informal or unlawful exclusion.

This policy supersedes all other school-level handbook or policy statements as relate to exclusions.

Aims

All parties involved in exclusions, including the Headteacher, parents, governing bodies and Independent Review Panels, must have regard to the statutory guidance. This policy outlines the key principles, roles and responsibilities around exclusion to ensure that all exclusion proceedings are conducted in line with statutory guidance.

Suspensions (*From September 2021, the Department for Education (DfE) and Ofsted adopted the term 'suspension' instead of 'fixed term exclusion'. Throughout this policy any reference to 'suspension' is referring to a 'fixed term exclusion' as defined by the statutory guidance.*)

Suspensions and Permanent Exclusions

Exclusion can only be for a serious breach of a school's behaviour policy, which must be published on the school's website and proactively shared with students and parents. It is important that all students understand the school's expectations of behaviour and the consequences for noncompliance.

The Headteacher will have regard to the school's behaviour policy to ensure that exclusions are applied consistently, proportionately, and in line with published expectations.

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

Suspensions

must only be given for a breach of the behaviour policy and must always be processed and recorded as a formal exclusion. The school will not use informal or unlawful exclusions. This includes sending a pupil home to calm down or for disciplinary reasons without formally recording a suspension in line with statutory guidance.

Permanent exclusions may be in response to persistent breaches of the behaviour policy or for a one-off serious breach of the behaviour policy, and where allowing the student to remain in school would seriously harm the education or welfare of the student or others in the school.

Permanent exclusion must be a last resort, and the Headteacher must consider alternative arrangements (such as a managed move) before permanently excluding any student.

The law does not allow for 'converting' a suspension into a permanent exclusion. In exceptional circumstances, such as cases involving a serious breach of the behaviour policy where additional evidence (including mitigating evidence) is required before making a decision, the school may issue a suspension pending investigation. Following investigation, 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.

Before deciding to exclude, the Headteacher will ensure that a thorough investigation has been carried out, including consideration of all available evidence, witness accounts, and the individual circumstances of the pupil. This will include seeking and considering the pupil's account in person, where reasonable to do so.

The Headteacher may cancel an exclusion that has already begun, but this should only be done where it has not yet been reviewed by the governing board. Where an exclusion is cancelled, then:

- Parents, the governing body, and the LA should be notified without delay and, if relevant, the social worker and Virtual School Head;
- Parents should be offered the opportunity to meet with the headteacher to discuss the circumstances that led to the exclusion being cancelled;
- Schools should report to the governing board once per term on the number of exclusions which have been cancelled. This should include the circumstances and reasons for the cancellation enabling governing boards to have appropriate oversight and;
- The student should be allowed back into school without delay.

Off-Site Direction (OSD)

Off-site direction is a temporary placement of a pupil at another educational setting to support improvements in behaviour. It is a planned intervention and must not be used as a sanction.

Whilst the Headteacher (or designated Deputy Headteacher) may identify, arrange and oversee suitable provision the Student Disciplinary Committee of the governing body is responsible for any decision to direct a pupil off site. A designated governor with responsibility for behaviour, will review and agree any decision to direct a student off site. In genuinely urgent circumstances where there is an immediate need to act and it is not reasonably practicable to consult with the designated member a governing board, the Chair of Governors may exercise Chair's Action on behalf of the governing board, with the decision formally recorded and reported to the governing board at the earliest opportunity.

In considering off-site direction, the school will take full account of any Special Educational Needs and Disabilities (SEND), including any Education, Health and Care Plan (EHCP). This will include consideration of whether the behaviour may be linked to unmet needs, and whether the proposed placement is suitable for the pupil's age, ability and needs, in line with the SEND Code of Practice and the Equality Act 2010. Where a pupil has an EHCP, the school will liaise with the Local Authority and consider whether a review of the EHCP is required.

All off-site direction arrangements must:

- Be time-limited
- Have clearly defined behavioural objectives
- Provide suitable, structured full-time education provision
- Be subject to regular review
- Be formally recorded by the school, including the rationale for the placement and intended outcomes

- Be notified to the Local Authority without delay, including the pupil's details, the placement, the duration and the rationale for the direction, in line with statutory guidance

Where off-site direction is used within local partnership arrangements (including placements at other mainstream schools), this will form part of a planned behaviour intervention to support reflection, reset routines, and successful reintegration.

Parents will be informed in writing of:

- The reason for the placement
- The objectives
- The duration and review arrangements
- The address, timings and supervising contact

Where a pupil has an EHCP, this written notification will form part of the formal notice to the Local Authority in line with statutory requirements.

Short-term placements at other schools (including local partnership arrangements) may be used as part of off-site direction. These placements will be structured, supervised and designed to support behaviour improvement and reintegration, rather than as a sanction.

The school retains responsibility for the pupil's safeguarding, welfare, attendance and quality of education during any off-site direction placement and will assure itself that appropriate safeguarding and monitoring arrangements are in place.

Monitoring of Off-Site Directions:

Off-site direction will be monitored by the governing body through regular reporting on the number of placements, their duration and outcomes, to ensure appropriate oversight and compliance with statutory guidance through the Headteacher's termly report to Governors.

Off-site direction will not be used in a way that could constitute an informal or unlawful exclusion. The school will ensure that all practice is transparent, proportionate, and consistent with its duties under statutory guidance.

Separation for Safeguarding Purposes

This action is distinct from both suspension and off-site direction and will only be used where necessary for safeguarding purposes.

In exceptional circumstances, the school may require a pupil to remain away from the school site for safeguarding reasons, for example where it is necessary to separate pupils following a serious incident or allegation. This is not an exclusion and must not be used as a disciplinary sanction.

Safeguarding separation will only be used where there is a clear and immediate safeguarding risk and will not be used as an alternative to exclusion where the legal test for exclusion is met.

The decision to implement a safeguarding separation will be made by the Headteacher (or delegated Deputy Headteacher/DSL) and will be based on a clear and evidenced safeguarding risk assessment. The decision, rationale and arrangements will be formally recorded.

Safeguarding separation will only be used where it is necessary to protect the welfare of the pupil and/or others, and where the risk cannot reasonably be managed within the school setting. It will be time-limited and kept under frequent, formally recorded review to ensure that it remains necessary, proportionate and in the best interests of all parties.

The school will take full account of any Special Educational Needs and Disabilities (SEND), including any Education, Health and Care Plan (EHCP), when making and reviewing decisions about safeguarding separation. Where a pupil has an EHCP, the school will liaise with the Local Authority and consider whether a review of the EHCP is required.

The school will ensure that suitable, full-time education is provided from the first day of any safeguarding separation, unless exceptional circumstances apply. Where appropriate, the school will work with the Local Authority and other relevant agencies to secure suitable provision and support, including where necessary to ensure that statutory duties to arrange suitable full-time education are met.

Parents will be informed without delay of:

- The reason for the safeguarding separation
- The safeguarding rationale
- The education arrangements in place
- The review arrangements and expected duration

The school will also work with the Local Authority and other relevant agencies as appropriate to support the pupil and to ensure that all statutory duties are met.

The school retains responsibility for the pupil's safeguarding, welfare, attendance and quality of education during any period of safeguarding separation and will assure itself that appropriate arrangements are in place.

Safeguarding separation will not be used in a way that could constitute an informal or unlawful exclusion. The school will ensure that all practice is transparent, proportionate, and consistent with its duties under statutory guidance.

The Right to Education

All students have a right to education and schools remain responsible for the education and welfare of all students on their roll up to the point when they are formally removed.

For any exclusion involving a student who is a Looked After Child, the school and Local Authority must work together to arrange alternative provision from the first day of exclusion. For all other students, the school must set work, and have it marked, for the first five days of exclusion. From the sixth school day of a suspension, the school will arrange suitable full-time education for the pupil, unless exceptional circumstances apply. For permanent exclusions, this duty rests solely with the local authority.

For permanent exclusion, the local authority is responsible for arranging this after the fifth day and for suspensions, the school is responsible. Schools must carefully assess and monitor the quality of the alternative educational provision and ensure appropriate safeguarding measures are in place.

Equalities Legislation

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 exclusion. Students with Special Educational Needs and Disabilities (SEND) are particularly at risk of this, and schools should be proactive to make reasonable adjustments to policy and practice, where needed, to avoid discrimination.

The Headteacher's Role in Exclusions

Only the Headteacher or designated acting Headteacher may exclude a student, and only for disciplinary reasons. When making a decision to suspend or permanently exclude, the Headteacher will ensure that the decision is lawful, reasonable and procedurally fair, taking full account of statutory guidance and the individual circumstances of the case.

Where the Headteacher is absent, the acting Headteacher, one of two Deputy Headteachers, will be formally designated and recorded.

The Headteacher will ensure that the school's behaviour policy is regularly reviewed, taking into account the views of stakeholders including students, parents, staff and governors, and published on the school website. Schools must also ensure that students understand the expectations within the behaviour policy and the potential consequences for noncompliance.

Where an excluded student has SEND, the school must demonstrate that they have met the requirements of the SEND Code of Practice. This includes relevant assessments to determine whether disruptive behaviour could be caused by underlying unmet needs, and a range of provision and support put in place to meet any need. If a student has an Education, Health and Care Plan (EHCP) and they are at risk of permanent exclusion, the school should request an emergency EHCP review.

Where any student has received multiple suspensions or is approaching a cumulative total of more than 15 school days of suspension in a term (which requires a governing board review) or the legal limit of 45 school days of suspension in an academic year, the Headteacher should consider whether exclusion is providing an effective sanction.

Permanent Exclusion should only be used as a last resort either where a single incident is so serious there is no alternative available or in the case of multiple incidents where all alternatives have been considered and all strategies to change behaviour have failed. It must be demonstrated that allowing the student to remain in school would seriously harm the education or welfare of the student or others in the school.

Duty to Inform Parents

Parents/carers must be informed without delay of the type and duration of the exclusion, the reason(s) for exclusion, the arrangements for the pupil's education, and their right to make representations to the governing board.

Ideally, this notification should be by telephone or in person in the first instance, followed by a letter. In all circumstances, the parent/carer must be informed in writing. The school must use the standard, template letters as these are compliant to current statutory regulations.

Students over 18 must be informed in writing and have the right to appeal on their own behalf. Schools have a duty of care for the welfare of all students and so must advise parent(s)/ carer(s) of an exclusion *prior* to the student being sent off-site.

Where a student has a social worker, e.g., because they are the subject of a Child in Need Plan or a Child Protection Plan, and they are at risk of suspension or permanent exclusion, the Headteacher will inform their social worker, the Designated Safeguarding Lead (DSL) and the student's parents to involve them all as early as possible in relevant conversations.

Where a looked-after child (LAC) is likely to be subject to a suspension or permanent exclusion, the Designated Teacher (DT) will contact the local authority's VSH as soon as possible. The VSH, working with the DT and others, should consider what additional assessment and support need to be put in place to help the school address the factors affecting the child's behaviour and reduce the need for suspension or permanent exclusion. Where relevant, the school will also engage with a child's social worker, foster carers, or children's home workers.

Reporting and Recording Exclusions

Anglo European School must follow statutory guidance to ensure the local authority is informed when a student is permanently excluded. We will ensure all exclusions are recorded on the school's Management Information System (Arbor) This includes off-site direction arrangements, which will also be recorded and reported in line with statutory guidance.

The Governing Body will be informed of any occasions when a governor review panel is required. The governing body will also receive regular reports on patterns and trends in exclusions, including repeat exclusions, duration and outcomes, to enable effective oversight via the termly Headteacher's Report. Exclusions must also be reported to governors in the Headteacher's Report and at the Full Governing Body meeting. Staff and Governors must comply with all relevant data protection requirements when processing, sharing and storing personal data as part of the exclusions process.

The school will also inform the local authority of any suspension via email exclusions@essex.gov.uk

The school will monitor exclusion data by key groups, including pupils with SEND, those eligible for pupil premium, and by ethnicity, to ensure that practice is fair, proportionate and compliant with the Equality Act 2010.

The governing body will also monitor patterns and trends in suspensions, permanent exclusions and off-site direction, including repeat use and the impact on specific groups, to ensure that practice remains proportionate and equitable.

Review of the Decision to Exclude

In reviewing exclusions, the governing body will consider whether the decision to exclude was lawful, reasonable and procedurally fair, taking full account of statutory guidance and the individual circumstances of the case.

For any exclusion, parents/carers have the right to make their representations to governors. The degree and length of exclusion determines the process and timeframe for governor review.

- i. All permanent exclusions **must** be reviewed by a panel of governors **within fifteen school days** of the exclusion being issued.
- ii. Suspensions, of any length, that would result in a student missing a public examination or national curriculum test **must** be reviewed by a governor panel **as soon as practically**

- possible and at maximum within fifteen school days.** In exceptional circumstances, the Chair of Governors may review the exclusion on behalf of the Local Governing Body.
- iii. Suspensions that result in a student being excluded for more than fifteen days in one academic term **must** be reviewed by a panel of governors **within fifteen school days** of the exclusion being issued.
 - iv. *If requested by the parent/carer*, a suspension of over five to fifteen days must be reviewed by a governor panel **within fifty calendar days** of the exclusion being issued.
 - v. *If requested by the parent/carer*, for a suspension of five days or less, governors must consider any representations made by the parent/carer but do not have to meet to do so, and do not have the power to reinstate the student.
- A governor review panel may be constituted from members of the school's Governing Body. All governors must have received specific training prior to participating on a panel. A panel will usually be constituted of three governors and a member of the governance team will be the panel clerk (usually the school's Clerk of Governors). One governor on the panel will be designated as the Chair of the meeting and, in the event of a request for external independent review (see section below entitled Independent Review Panel), will represent the panel at that independent review meeting. The Headteacher cannot be a member of the panel.

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. As standard practice, the Headteacher should not discuss individual exclusions with members of the student disciplinary Committee or review panel, as cases may be referred to them for review.

The review panel may either **decline to reinstate the student** (upholding the Headteacher's decision) or **direct reinstatement of the student**. The panel cannot convert one type of exclusion into another, for example; they cannot 'downgrade' a permanent exclusion into a suspension. After the governor review hearing, the Clerk will inform the parties in writing about the result, with reasons for the decision. Decisions are communicated as soon as possible and every attempt is made to do this within 5 working days.

Standard of Review and Evidence

At all stages in the exclusion process, from the Headteacher's initial decision to the independent review panel, the civil standard of a 'balance of probability' is used when considering facts and evidence. This has a lower threshold than the criminal standard of review, 'beyond all reasonable doubt'.

Decision-makers will also take account of any contributing factors, including SEND, mental health needs, safeguarding considerations, or external influences, and whether reasonable adjustments have been made where required.

The Headteacher or review panel must ensure that all parties have an opportunity to make their representations and have their views heard before any decision is made. It is important that the evidence presented to panels demonstrates this or gives a reasonable explanation for why another party's views are not available.

Panel Hearings

All evidence and panel paperwork must be distributed to all parties at least five working days before the hearing. In exceptional circumstances and at the discretion of the Chair, new evidence may be introduced at the hearing however all parties must be given reasonable time to review it.

No party should be in the presence of the panel unless the other party is also present. Both the school and parents/carers should enter and leave the panel meeting at the same time and must not have any private discussion with the panel before the meeting or until after the panel have reached a formal decision.

Independent Review Panel

If a permanent exclusion is upheld, parents/carers must be informed of their right to seek an independent review of the panel's decision and the deadline for seeking such a review. They also have the right to request the attendance of a SEND expert at the Independent Review Panel meeting. The request for an independent review panel must be submitted within fifteen school days from receiving the review panel's decision.

The school will engage the services of an external clerking agency to arrange and clerk the Independent Review Panel. The independent review is normally attended by the Headteacher and Chair of the original governor panel. The Clerk of the governor panel may attend but plays no formal part in proceedings. On occasion it may be considered appropriate for the school to have legal representation. This will be arranged by Anglo European School.

The Independent Review Panel cannot direct a governing body to re-instate a student. It may:

- a. uphold the exclusion;
- b. recommend that the original panel reconsider its decision; or
- c. quash the original panel's decision and direct the panel to reconsider its decision. Where a decision is quashed, the governing board must reconvene to reconsider the decision, taking full account of the findings and any recommendations of the Independent Review Panel.

The panel's decision can be decided by a majority vote. In the case of a tied decision, the Chair has the casting vote.

Parallel police proceedings

The governing body has no power to delay a hearing beyond the statutory time limit because of police proceedings. If a permanent exclusion is upheld in these circumstances, the parent has 15 days to request an independent review in the normal way.

Reintegration after a suspension (or off-site direction)

Following a suspension, period of off-site direction or safeguarding separation, students are supported to reintegrate successfully into school life and full-time education. Prior to their return to school, a reintegration meeting is arranged with the student and their parent / carer. In exceptional circumstances a reasonable adjustment may be made and the reintegration meeting may take place virtually via TEAMS. This meeting is designed to help the student make a fresh start and to help them understand the impact of their behaviour on themselves and others. It should provide strategies to help them meet the high expectations of behaviour in line with the school culture going forward, giving them all and every opportunity for success; renewing their sense of belonging within the school community, re-building engagement with learning and reassuring them that previous behaviour should not be an obstacle to future success.

A letter, summarising the discussion at the reintegration meeting and setting out the reintegration plan agreed by all parties present, setting out expectations, support and monitoring arrangements will be sent to parents and recorded on the students' file following this meeting.

Where necessary, the school will work with relevant staff and multi-agency organisations, such as teachers, pastoral staff, mentors, social workers, educational psychologists or the safeguarding team, to identify if the student has any SEND, health or additional needs.

The school will consider a range of measures to enable the student's successful reintegration which can include, but is not limited to:

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

Other relevant legislation and guidance

The legislation, guidance and regulations to which this guidance relates is:

- Education Act 2002, as amended by the Education Act 2011;
- School Discipline (Student Exclusions and Reviews) (England) Regulations 2012;
- Education and Inspections Act 2006;
- Education Act 1996; and
- Education (Provision of Full-Time Education for Excluded Students) (England) Regulations 2007, as amended by the Education (Provision of Full-Time Education for Excluded Students) (England) (Amendment) Regulations 2014;
- Exclusion from Maintained Schools, Academies and Student Referral Units in England - Statutory Guidance for those with Legal Responsibilities in Relation to Exclusion (July 2026)
- Working together to improve school attendance: Statutory guidance for maintained schools, academies, independent schools and local authorities (August 2024)
- SEND code of practice: 0 to 25 years (updated 1 May 2015);
- Special Educational Needs and Disability Regulations 2014 (Part 4); and
- Equality Act (2010).