



Suspension and Permanent Exclusion Policy

A relational, restorative and inclusive approach

2026–2027

School	Markeaton Primary School
Policy owner	Headteacher
Approved by	Governing Board
Approval date	September 2026
Next review	September 2027, or sooner if statutory guidance changes
Statutory guidance	DfE guidance effective from 26 July 2026

This policy should be read with the Relationships and Behaviour Policy.

1. Purpose and status

Markeaton Primary School is committed to an inclusive, caring and safe environment in which every child is known, supported and treated with dignity. Suspension and permanent exclusion are serious decisions. They will be used only when lawful, reasonable, fair and proportionate and never as a substitute for meeting a child's needs.

This policy follows the Department for Education's statutory guidance, suspension and permanent exclusion from maintained schools, academies and pupil referral units in England, including pupil movement, effective from 26 July 2026. It applies to all pupils at Markeaton Primary School, including pupils below compulsory school age.

2. Aims

- to protect the safety, education and welfare of pupils and staff
- to set out a transparent and consistent decision-making process
- to prevent suspension wherever safe and appropriate through early, relational and graduated support
- to ensure that pupils with SEND, disabilities, safeguarding needs or other vulnerabilities receive appropriate consideration and reasonable adjustments
- to keep pupils and parents informed, hear their views and support successful reintegration
- to meet all statutory notification, education, review and record-keeping duties.

3. Legal and local framework

The school will have regard to the current statutory guidance and relevant legislation, including the Education Act 2002, Education and Inspections Act 2006, School Discipline (Pupil Exclusions and Reviews) (England) Regulations 2012, Equality Act 2010, Children and Families Act 2014, Human Rights Act 1998 and applicable data protection legislation.

The school will also follow Derby City Council's published procedures and work with its Inclusion and Intervention Team / In Year Fair Access service where required.

4. Core principles

- Only the Headteacher, or the teacher formally acting as Headteacher, may suspend or permanently exclude a pupil.
- Each decision will be made on the individual facts, applying the civil standard of proof: whether it is more likely than not that the behaviour occurred.
- The Headteacher will consider relevant evidence, the pupil's account and any contributing factors before deciding.
- The school will not discriminate and will make reasonable adjustments for disabled pupils.
- A suspension will be for the shortest period necessary and will have a clearly stated start and end date.
- Permanent exclusion is a last resort and is subject to the two-part statutory test set out in section 13.

5. Prevention and graduated support

Markeaton's response begins with regulation, relationships and access to learning. Staff use the school's relational and restorative approach, informed by the Neurosequential Model in Education, to understand behaviour as communication while maintaining clear, safe boundaries.

Depending on need and risk, preventative support may include:

- co-regulation, de-escalation and a trusted adult
- predictable routines, visual supports, movement or sensory breaks and an agreed safe space
- restorative conversations and repair when the child is regulated
- a risk assessment, individual support plan or positive handling plan
- Nurture, Hub, pastoral, SEND or external-agency support
- discussion with parents and, where appropriate, an early review of provision, an EHCP review or a multi-agency meeting.

The use of support before suspension will depend on the seriousness and immediacy of the incident. A serious one-off incident may justify suspension or permanent exclusion even where previous strategies have not been required.

6. Behaviour that may lead to suspension

Suspension may be considered for a serious breach or persistent breaches of the Relationships and Behaviour Policy. Examples may include physical assault against a pupil or adult, threatening behaviour, bullying or discriminatory abuse, sexual misconduct, possession or supply of prohibited substances, serious damage, theft and persistent disruptive behaviour. This list is illustrative, not exhaustive, and no listed behaviour results in automatic suspension.

Significant physical behaviour

If a pupil has not responded to appropriate de-escalation measures and shows significant and repeated physical behaviour towards children or staff, the Headteacher will consider whether suspension is necessary. The decision will take account of immediate safety, the seriousness and frequency of the behaviour, the child's individual circumstances, SEND and disability duties, reasonable adjustments, the support already offered and whether a less restrictive response can safely manage the risk.

7. Before making a decision

Unless there is an immediate safety reason preventing it, the Headteacher will:

1. Establish the facts promptly and fairly, considering witness accounts, records and other relevant evidence.
2. Give the pupil an age-appropriate opportunity to explain what happened and express their views, with support where needed.
3. Consider possible contributing factors, including bereavement, bullying, exploitation, mental health, trauma, communication needs, SEND, disability, care experience and safeguarding concerns.

4. Consider whether school policies were applied consistently, whether reasonable adjustments were in place and whether additional support or an alternative response is appropriate.
5. Consider the likely effect of the decision on the pupil and school community, without using suspension simply because provision is difficult to arrange.
6. Record the reasons for the decision and the evidence relied upon.

8. SEND, disability and vulnerable pupils

The school will comply with the Equality Act 2010 and the SEND Code of Practice. Disability-related behaviour will be considered carefully, including whether the behaviour arose from a disability, whether reasonable adjustments were made and whether a proposed sanction would amount to unlawful discrimination.

Where a pupil has an Education, Health and Care Plan, the SENCO and local authority will be involved as appropriate. The school will consider an early annual review where needs or provision may have changed. For a child with a social worker, or a looked-after child, the social worker and/or Virtual School Head will be notified without delay as required. Safeguarding risks created by time out of school will form part of the decision and planning.

9. Suspension: duration and notification

A suspension may be for one or more fixed periods, including part of a school day, but must not exceed 45 school days in total in one academic year. The Headteacher may withdraw a suspension before it begins or cancel it before the governing board has met to consider it, in accordance with statutory guidance.

When a pupil is suspended, the school will inform the pupil in an accessible way and notify the parent without delay, normally by telephone followed by written notice. The notice will state:

- the reason for the suspension and its exact duration
- the date and arrangements for return
- the parent's right to make representations and how to do so
- the governing board's duties and, where relevant, meeting arrangements
- education arrangements and the parent's duty during the first five school days
- relevant sources of independent information and support.

The Headteacher will notify the governing board and Derby City Council without delay of every suspension and permanent exclusion, and will notify a social worker and/or Virtual School Head where required. If the pupil lives outside Derby, the home local authority will also be notified.

10. Education and supervision during suspension

- For the first five school days, the school will take reasonable steps to set and mark appropriate work, taking account of SEND and accessibility.
- For a suspension of more than five school days, the governing board will arrange suitable full-time education from the sixth school day.

- Where a pupil has consecutive suspensions totalling more than five school days, provision will begin no later than the sixth day of suspension.
- Parents must ensure that the pupil is not present in a public place during school hours on the first five school days without reasonable justification.
- The school will make suitable arrangements if the pupil would otherwise miss a public examination or national curriculum test.

11. Reintegration following suspension

The school will have a reintegration strategy designed to support a safe and successful return. A meeting will normally be offered to the pupil and parent before or at the point of return. A pupil's return will not be delayed because a parent cannot attend.

The strategy may cover regulation, trusted-adult support, any amended risk assessment, reasonable adjustments, learning catch-up, restorative repair, agreed check-ins and review dates. The child's voice will be included. Reintegration is supportive and forward-looking; it is not an additional punishment.

12. Governing board consideration

The governing board will consider reinstatement within the statutory timescales where:

- the pupil has been permanently excluded
- a suspension would take the pupil's total to more than 15 school days in a term
- the pupil would miss a public examination or national curriculum test, or
- the parent requests consideration where suspensions total more than five but no more than 15 school days in a term.

For suspensions totalling five school days or fewer in a term, the governing board will consider any representations but cannot direct reinstatement and is not required to arrange a meeting. At a meeting, the board will consider the interests and circumstances of the pupil, the representations made and the Headteacher's decision. It may uphold the decision or direct reinstatement where legally permitted. The pupil will be enabled to participate in an age-appropriate way.

13. Permanent exclusion

The Headteacher may permanently exclude only where both parts of the statutory test are met:

1. there has been a serious breach or persistent breaches of the school's Relationships and Behaviour Policy, and
2. allowing the pupil to remain in school would seriously harm the education or welfare of the pupil or others in the school.

Permanent exclusion will normally be used only as a last resort. It may, however, be justified for an exceptionally serious one-off incident. The governing board will meet to consider the decision within 15 school days. Derby City Council is responsible for arranging suitable full-time education from the sixth school day.

14. Independent review and discrimination claims

If the governing board upholds a permanent exclusion, it will explain in writing the parent's right to request an independent review panel and the deadline for doing so. A parent may ask for a SEN expert to attend, whether or not the school recognises that the pupil has SEND. The panel may uphold the decision, recommend reconsideration or quash the decision and direct reconsideration. Separate routes are available for claims of disability discrimination and other unlawful discrimination; the written decision will provide the relevant information.

15. Managed moves and off-site direction

A managed move may be explored as a voluntary, planned transfer when it is in the pupil's best interests. It requires informed parental agreement and will not be used to pressure a family into removing a pupil or to avoid the statutory exclusion process. Derby City Council's In Year Fair Access arrangements will be followed.

Any off-site direction will be used only to improve future behaviour, not as punishment, and will comply with statutory requirements, including review and parental engagement.

16. Roles and responsibilities

Role	Key responsibilities
Headteacher	Makes and records decisions; ensures lawful notification, education and safeguarding arrangements; leads reintegration.
Governing Board	Reviews decisions where required; considers data, equality and disproportionality; assures policy compliance.
SENCO / DSL / pastoral staff	Advise on SEND, reasonable adjustments, safeguarding, provision and reintegration.
Staff	Use preventative and de-escalation strategies, record incidents accurately and contribute to support plans.
Parents	Work with the school, support education during suspension, observe public-place duties and share relevant information.
Pupils	Are supported to express their views, understand decisions and contribute to reintegration and repair.

17. Recording, monitoring and confidentiality

The school will maintain accurate records of the incident, evidence, pupil voice, decision, duration, notifications, education, SEND and safeguarding considerations, reasonable adjustments and reintegration. Information will be handled lawfully and shared only where necessary.

The Headteacher will report suspension and permanent exclusion data to the governing board. Governors will scrutinise patterns, repeat suspensions, days lost and possible disproportionality by protected characteristic, SEND, disadvantage and other vulnerability. Findings will inform improvement, staff development and provision.

18. Complaints and concerns

Representations about a suspension or permanent exclusion must follow the statutory process described in the decision letter. Concerns about the school's administration of this policy may be raised through the school's complaints procedure, but that procedure cannot overturn an exclusion decision where a statutory review route applies.

19. Contacts and further information

School	Markeaton Primary School — contact the Headteacher through the school office
Derby City Council	Inclusion and Intervention / In Year Fair Access Team
Local advice	iyfa@derby.gov.uk 07464 517290
National guidance	Department for Education: Suspension and permanent exclusion guidance, effective 26 July 2026

20. Review

This policy will be reviewed annually and sooner if legislation, statutory guidance, local procedures or the school's needs change. The governing board will approve material revisions.