



Godalming Junior School

This school is committed to safeguarding and promoting the welfare of children and young people and expects all staff and volunteers to share this commitment. If you have any concerns, you should contact our Designated Safeguard Leads Adam Samson, Erin Coleman, Kate Wilkinson, Louise Munz or Andrea Crook

EXCLUSION POLICY

This policy was reviewed:	Autumn 2025
This policy will be reviewed next:	Autumn 2026
This policy will be reviewed by:	Full Governing Body
Virtual School Lead (VSL):	Mrs Kate Wilkinson (SENDCo)

“Every child has a right to feel safe” - Article 19
“Every child has a right to an education” - Article 28
“Every child has a right to relax and play” - Article 31

1. Aims

Our school aims to ensure that:

- The suspension/exclusion process is applied fairly, consistently and without discrimination
- The suspension/exclusion process is understood by governors, staff, parents and pupils
- Pupils in school are safe and happy
- Any suspension/exclusion is a last resort

2. Legislation and statutory guidance

This policy is based on statutory guidance from the Department for Education: [Suspension and permanent exclusion from maintained schools, academies and pupil referral units \(PRUs\) in England](#).

It is based on the following legislation, which outline schools' powers to exclude pupils:

- Section 52 of the Education Act 2002, as amended by the Education Act 2011
- The School Discipline (Pupil Exclusions and Reviews) (England) Regulations 2012

In addition, the policy is based on:

- Part 7, chapter 2 of the [Education and Inspections Act 2006](#), which looks at parental responsibility for excluded pupils
- Section 579 of the [Education Act 1996](#), which defines 'school day'
- The [Education \(Provision of Full-Time Education for Excluded Pupils\) \(England\) Regulations 2007](#), as amended by [The Education \(Provision of Full-Time Education for Excluded Pupils\) \(England\) \(Amendment\) Regulations 2014](#)
- [Keeping Children Safe in Education \(2025\)](#)
- [Working together to improve school attendance \(2024\)](#)

The term 'suspension' will be used when referring to an exclusion for a fixed period.

3. The decision to exclude

Only the headteacher can suspend or exclude a pupil from school. A permanent exclusion will be taken as a last resort.

Our school is aware that off-rolling is unlawful. Ofsted defines off-rolling as:

“...the practice of removing a pupil from the school roll without a formal, permanent exclusion or by encouraging a parent to remove their child from the school roll, when the removal is primarily in the interests of the school rather than in the best interests of the pupil.”

We are committed to following all statutory exclusions procedures to ensure that every child receives an education in a safe and caring environment.

A decision to suspend or permanently exclude a pupil will be taken only:

- In response to serious or persistent breaches of the school’s behaviour policy inside the school setting or outside, **and**
- If allowing the pupil to remain in school would seriously harm the education or welfare of others

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

- Consider all the relevant facts and evidence, including whether the incident(s) leading to the exclusion were provoked
- Allow the pupil to give their version of events in line with the school Behaviour Policy and restorative practices
- Consider if the pupil has special educational needs (SEN) or any other vulnerability

4. Definition

For the purposes of exclusions, school day is defined as any day on which there is a school session. Therefore, INSET or staff training days do not count as a school day.

5. Roles and responsibilities

5.1 The headteacher

Informing parents

The headteacher will immediately provide the following information, in writing, to the parents of an excluded pupil:

- The reason(s) for the exclusion
- The length of a fixed-term exclusion or, for a permanent exclusion, the fact that it is permanent
- Information about parents’ right to make representations about the exclusion to the governing body and how the pupil may be involved in this
- How any representations should be made
- Where there is a legal requirement for the governing body to meet to consider the reinstatement of a pupil, and that parents have a right to attend a meeting, be represented at a meeting (at their own expense) and to bring a friend

The headteacher will also notify parents by the end of the afternoon session on the day their child is excluded that for the first 5 school days of an exclusion, or until the start date of any alternative provision where this is earlier, parents are legally required to ensure that their child is not present in a public place during school hours without a good reason. Parents may be given a fixed penalty notice or prosecuted if they fail to do this. Other key adults will also be notified, such as assigned social workers.

If alternative provision is being arranged, the following information will be included when notifying parents of an suspension or exclusion:

- The start date for any provision of full-time education that has been arranged
- The start and finish times of any such provision, including the times for morning and afternoon sessions, where relevant
- The address at which the provision will take place
- Any information required by the pupil to identify the person they should report to on the first day

Where this information on alternative provision is not reasonably ascertainable by the end of the afternoon session, it may be provided in a subsequent notice, but it will be provided no later than 48 hours before the provision is due to start. The only exception to this is where alternative provision is to be provided before the sixth day of an exclusion, in which case the information can be provided with less than 48 hours' notice with parents' consent.

Information sharing is vital in safeguarding children and promoting their welfare, including their educational outcomes. Following the suspension or permanent exclusion of a pupil, the headteacher will also notify:

- the local authority, regardless of the length of the exclusion
- the social worker, if a pupil has one
- the Virtual School Lead (VSL), if the pupil is a LAC48, of the period of the suspension or permanent exclusion and the reason(s) for it

Both the social worker and/or VSL, will also be informed when a governing board meeting is taking place, in order to share information. The social worker and/or the VSL can attend the meeting, should they wish to do so.

A pupil's behaviour outside school can be considered grounds for a suspension or permanent exclusion.

The headteacher can cancel any suspension or exclusion that has already begun (or one that has not yet begun), but this can only happen when the governing body has not yet met to consider whether the pupil should be reinstated. The headteacher will notify parents, the governing body, the local authority and any additional key adults e.g. social worker without delay providing the reason for the cancellation.

Reasons and recording suspensions and exclusions

The reasons below are examples of the types of circumstances that may warrant a suspension or permanent exclusion.

- Physical assault against a pupil
- Physical assault against an adult
- Verbal or visual (online) abuse or threatening behaviour against a pupil
- Verbal or visual (online) abuse or threatening behaviour against an adult
- Use, or threat of use, of an offensive weapon or prohibited item that has been prohibited by a school's behaviour policy
- Bullying
- Racist abuse
- Abuse against sexual orientation or gender reassignment
- Abuse relating to disability

Data on all suspensions and exclusions will be collected by the DfE via the school census each term. Data on behavior, suspensions and exclusions will also be reported via the headteacher termly report to governors and termly attendance and behaviour reports provided by the school safeguarding team.

Informing the governing body and local authority

The headteacher will immediately notify the governing board and the local authority (LA) of:

- A permanent exclusion, including when a fixed-period suspension is followed by a decision to permanently exclude a pupil
- Suspensions which would result in the pupil being suspended for more than 5 school days (or more than 10 lunchtimes) in a term
- Suspensions which would result in the pupil missing a public examination

For a permanent exclusion, if the pupil lives outside the LA in which the school is located, the headteacher will also immediately inform the pupil's 'home authority' of the exclusion and the reason(s) for it immediately.

5.2 The governing body

Responsibilities regarding exclusions are delegated to the **Learning and Curriculum Committee** consisting of at least 3 governors.

The **Learning and Curriculum Committee** has a duty to consider the reinstatement of an excluded pupil (see section 6).

Within 14 days of receipt of a request, the governing body will provide the secretary of state and the LA with information about any exclusions in the last 12 months.

For a fixed-period suspension of more than 5 school days, the governing body will arrange suitable full-time education for the pupil. This provision will begin no later than the sixth day of the exclusion.

5.3 The Local Authority

For permanent exclusions, the LA is responsible for arranging suitable full-time education to begin no later than the sixth day of the exclusion.

5.4 Duties to arrange education for excluded pupils

As stated in part 6 of the [DfE Suspension and Permanent Exclusion Guidance \(2024\)](#) GJS will provide curriculum content for short-term suspensions.

If a child is permanently excluded from school then it is the responsibility of the local authority to arrange suitable full-time education for the pupil to begin from the 6th school day after the first day the permanent exclusion took place. It will be the 'home authority' of the pupil's responsibility not the school in a different authority to the home address.

The needs of the child may need to be reassessed by the local authority if the child has an EHCP, in consultation with the parents, as this may require further exploration in finding an appropriate new placement.

6. Considering the reinstatement of a pupil

The **Learning and Curriculum Committee** will consider the reinstatement of an excluded pupil within 15 school days of receiving the notice of the exclusion if:

- The exclusion is permanent
- It is a fixed-term suspension which would bring the pupil's total number of school days of suspension to more than 15 in a term
- It would result in a pupil missing a public examination or national curriculum test

If requested to do so by parents, the **Learning and Curriculum Committee** will consider the reinstatement of an excluded pupil within 50 school days of receiving notice of the exclusion if the pupil would be excluded from school for more than 5 school days, but less than 15, in a single term.

Where an exclusion would result in a pupil missing a public examination, the **Learning and Curriculum Committee** will consider the reinstatement of the pupil before the date of the examination. If this is not practicable, the **Learning and Curriculum Committee** will consider the exclusion and decide whether or not to reinstate the pupil.

The **Learning and Curriculum Committee** can either:

- Decline to reinstate the pupil, or
- Direct the reinstatement of the pupil immediately, or on a particular date

In reaching a decision, the **Learning and Curriculum Committee** will consider whether the exclusion was lawful, reasonable and procedurally fair and whether the headteacher followed their legal duties. They will decide whether or not a fact is true 'on the balance of probabilities', which differs from the criminal standard of 'beyond reasonable doubt', as well as any evidence that was presented in relation to the decision to exclude.

Minutes will be taken of the meeting, and a record of evidence considered kept. The outcome will also be recorded on the pupil's educational record.

The **Learning and Curriculum Committee** will notify, in writing, the headteacher, parents and the LA of its decision, along with reasons for its decision, immediately.

Where an exclusion is permanent, the **Learning and Curriculum Committee** decision will also include the following:

- The fact that it is permanent
- Notice of parents' right to ask for the decision to be reviewed by an independent review panel, and:
 - The date by which an application for an independent review must be made
 - The name and address to whom an application for a review should be submitted
 - That any application should set out the grounds on which it is being made and that, where appropriate, reference to how the pupil's SEN are considered to be relevant to the exclusion
 - That, regardless of whether the excluded pupil has recognised SEN, parents have a right to require the LA to appoint an SEN expert to attend the review
 - Details of the role of the SEN expert and that there would be no cost to parents for this appointment
 - That parents must make clear if they wish for an SEN expert to be appointed in any application for a review
- That parents may, at their own expense, appoint someone to make written and/or oral representations to the panel, and parents may also bring a friend to the review
- That if parents believe that the exclusion has occurred as a result of discrimination, they may make a claim under the Equality Act 2010 to the first-tier tribunal (special educational needs and disability), in the case of disability discrimination, or the county court, in the case of other forms of discrimination. A claim of discrimination made under these routes should be lodged within 6 months of the date on which the discrimination is alleged to have taken place

7. An independent review

If parents apply for an independent review, the LA will arrange for an independent panel to review the decision of the governing board not to reinstate a permanently excluded pupil.

Applications for an independent review must be made within 15 school days of notice being given to the parents by the **Learning and Curriculum Committee** of its decision to not reinstate a pupil.

A panel of 3 or 5 members will be constituted with representatives from each of the categories below. Where a 5-member panel is constituted, 2 members will come from the school governor's category and 2 members will come from the headteacher category.

- A lay member to chair the panel who has not worked in any school in a paid capacity, disregarding any experience as a school governor or volunteer
- School governors who have served as a governor for at least 12 consecutive months in the last 5 years, provided they have not been teachers or headteachers during this time
- Headteachers or individuals who have been a headteacher within the last 5 years

A person may not serve as a member of a review panel if they:

- Are a member of the LA, or governing body of the excluding school
- Are the headteacher of the excluding school, or have held this position in the last 5 years
- Are an employee of the LA or the governing body, of the excluding school (unless they are employed as a headteacher at another school)
- Have, or at any time have had, any connection with the LA, school, governing body, parents or pupil, or the incident leading to the exclusion, which might reasonably be taken to raise doubts about their impartiality
- Have not had the required training within the last 2 years (see appendix 1 for what training must cover)

A clerk will be appointed to the panel.

The independent panel will decide one of the following:

- Uphold the governing body's decision
- Recommend that the governing body reconsiders reinstatement
- Quash the governing body's decision and direct that they reconsider reinstatement (only when the decision is judged to be flawed)

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

8. School registers

A pupil's name will be removed from the school admissions register if:

- 15 school days have passed since the parents were notified of the exclusion panel's decision to not reinstate the pupil and no application has been made for an independent review panel, or
- The parents have stated in writing that they will not be applying for an independent review panel

Where an application for an independent review has been made, the governing body will wait until that review has concluded before removing a pupil's name from the register.

Where alternative provision has been made for an excluded pupil and they attend it, code B (education off-site) or code D (dual registration) will be used on the attendance register.

Where excluded pupils are not attending alternative provision, code E (absent) will be used.

9. Returning from a fixed-term suspension

Following a fixed-term suspension, a re-integration meeting will be held involving the pupil, parents, a member of senior staff and other staff. Whilst adjustments may need to be made to facilitate this, a re-integration meeting is important for all parties to move forward, identify support, accept responsibility and revisit expectations.

The following measures may be implemented when a pupil returns from a fixed-term suspension:

- Agreeing a behaviour contract
- Putting a pupil 'on report'
- Internal isolation

10. Monitoring arrangements

The Headteacher monitors the number of suspensions and exclusions every term and reports to the governors through the termly Headteacher report. They also liaise with the local authority to ensure suitable full-time education for excluded pupils.

On request, the school can also provide signposting to further impartial advice for parents regarding suspensions and permanent exclusions.

11. Links with other policies

This exclusions policy is linked to our

- [Behaviour policy](#)
- [SEN Policy](#)
- Restrictive Physical Intervention Policy



Appendix 1: Independent review panel training

The LA must ensure that all members of an independent review panel and clerks have received training within the 2 years prior to the date of the review.

Training must have covered:

- The requirements of the primary legislation, regulations and statutory guidance governing suspensions and exclusions, which would include an understanding of how the principles applicable in an application for judicial review relate to the panel's decision making
- The need for the panel to observe procedural fairness and the rules of natural justice
- The role of the chair and the clerk of a review panel
- The duties of headteachers, governing boards and the panel under the Equality Act 2010
- The effect of section 6 of the Human Rights Act 1998 (acts of public authorities unlawful if not compatible with certain human rights) and the need to act in a manner compatible with human rights protected by that Act

