



Exclusion Policy for Laurus Primaries

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The Laurus Vision is for everyone regardless of background or circumstance to be inspired, to thrive in all environments, to recognise what it takes to succeed, to set aspirational goals and work hard to achieve them. Delivering this vision depends upon safe, calm, supportive learning environments.

Our approach to exclusion ensures that all decisions are:

- *Lawful*
- *Reasonable*
- *Fair*
- *Proportionate*
- *In line with our safeguarding duties, including duties toward SEND pupils, pupils with social workers, LAC/CLA pupils and previously looked after children.*

This Exclusion Policy for Laurus Primaries should be read in conjunction with the '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' which was published in August 2024' and states that:

'Good behaviour in schools is essential to ensure that all pupils benefit from the opportunities provided by education. Therefore, the government recognises that school exclusions, managed moves and off-site direction are essential behaviour management tools for headteachers and can be used to establish high standards of behaviour in schools and maintain the safety of school communities.

For the vast majority of pupils, suspensions and permanent exclusions may not be necessary, as other strategies can manage behaviour. However, if approaches towards behaviour management have been exhausted, then suspensions and permanent exclusions will sometimes be necessary as a last resort. This is to ensure that other pupils and teaching staff are protected from disruption and can learn in safe, calm, and supportive environments.' (p3)

Please note that the term 'headteacher' is used throughout the guidance (excerpts of which are provided below) and that in Laurus schools this is the Head of School.

Principles and Purpose of Exclusion

Exclusion is a serious disciplinary measure used only:

- *As a last resort, when other behaviour strategies have been exhausted*
- *To protect the safety and education of pupils and staff*
- *To uphold high behaviour standards across all Laurus Trust Primary settings*

Exclusion decisions must take account of:

- *The balance of probabilities evidential standard*
- *The pupils context, vulnerabilities, SEND needs and safeguarding concerns*
- *Any obligations under the Equality Act 2010, including reasonable adjustments*
- *The need to avoid any form of unlawful exclusion or off-rolling.*

The headteacher's powers to use exclusion

Only the headteacher of a school can suspend or permanently exclude a pupil 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 across all settings attended), They may be permanently excluded for a serious breach, or persistent breaches, of the Behaviour Policy for Laurus Trust Primaries, and where allowing the pupil to remain would seriously harm the education or welfare of others.

A pupil's behaviour outside school can be considered grounds for a suspension or permanent exclusion. Any decision of a headteacher, including suspension or 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 suspensions and permanent exclusions and a school's wider legal duties); reasonable; fair; and proportionate.

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.' This means that the headteacher should accept that something happened if it is more likely that it happened than that it did not happen. The headteacher must take account of their legal duty of care when sending a pupil home following an exclusion.

Further details about a headteacher's powers to exclude can be found on p11-12 of the guidance.

Suspension (Fixed-Period Exclusion)

A suspension involves temporarily removing a pupil from the school for one or more fixed periods:

- *A pupil may be suspended for up to 45 school days in a single academic year across all settings attended*
- *Suspensions may be issued for separate incidents and do not have to be consecutive.*
- *suspension may be used to provide a clear signal that the behaviour is unacceptable as part of the school's behaviour policy and show a pupil that their current behaviour is putting them at*

risk of permanent exclusion. Where suspensions are becoming frequent, the Head of School will review whether suspension remains an effective response and whether additional intervention, assessment, or support is required to address the behaviour.

It is important that during a suspension, pupils still receive their education.

The school will take steps to ensure that high quality work is set and marked for pupils during the first five school days of a suspension. A re-integration meeting will also take place on or before the pupil's return to school.

Further statutory expectations for suspension processes are detailed in Part 3 and 4 of the 2024 DfE guidance..

Permanent Exclusion

A permanent exclusion may be used where:

- *A serious breach or persistent breaches of the Behaviour Policy have occurred and*
- *Allowing the pupil to remain would seriously harm the education or welfare of the pupil or others.*

The Head of School may consider behaviour outside of school grounds where relevant.

Setting a clear compliant process for exclusions

Factors to consider

We will adhere to the guidance which states that headteachers should consider the following, when setting a clear process for exclusions:

- *Establish the facts using the civil standard of proof*
- Consider whether the behaviour stems from unmet SEND or pastoral needs
- Ensure reasonable adjustments have been considered
- Evaluate whether previous interventions were appropriate and effective
- Consider whether the pupil is at high risk of exclusion and whether additional early help or multi-agency involvement is required
- Ensure any safeguarding issues are addressed

Laurus Trust Primaries will ensure:

- *A robust system for monitoring the 45 day suspension rule, including suspensions accumulated across settings*
- *ensuring there is a formal process for informing parents, the social worker (where relevant), The Academy Committee and local authority, clearly setting out all reasons for*

the exclusion;

accurate attendance coding, incorporating the requirements strengthened in the 2024 guidance

- *providing up-to-date links to sources of impartial advice for parents;*
- *well planned reintegration procedures for suspended or permanently excluded pupils which restore belonging and promote future success.;*
- *ensuring a formal process for arranging, at short notice, suitable full-time alternative education for pupils receiving suspensions from Day 6 where required.*

Reasons and recording exclusions

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

- *Physical assault against a pupil or adult*
-
- *Verbal abuse or threatening behaviour*
-
- *Use, or threatened use, of an offensive weapon or prohibited item*
- *Bullying, including online or repeated behaviours*
-
- *Abuse related to race, disability, gender reassignment, religion or sexual orientation*

This list is non-exhaustive and is intended to offer examples rather than be complete or definitive. Up to three reasons can be recorded for each suspension or permanent exclusion (where applicable). Laurus Primary Heads of School will consult with the Director and or Executive Head of Primary regarding all exclusions and suspensions.

Further details including information about off-rolling, unlawful exclusions and child-on-child abuse are signposted in Annex B. Further information also begins on page 77 of the August 2024 Guidance.

Reintegration after a suspension or off-site direction

We will do everything possible to support pupils to reintegrate successfully into school life and full-time education following a suspension or period of off-site direction. This will include designing a clear reintegration plan 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. This reintegration plan will ensure pastoral and academic support within it. It will be clearly communicated at a reintegration meeting before or at the beginning of the pupil's return to school.

Preventative measures to school exclusion

Preventing exclusion is central to effective behaviour management. The 2024 guidance strengthens expectations relating to the following:.

Off-site direction (temporary measure) is when a pupil is required by the school's Academy Committee to

attend another education setting to improve their behaviour. Where interventions or targeted support have not been successful in improving a pupil's behaviour, off-site direction can be used to arrange time-limited, monitored, placements at an Alternative Provision or another mainstream school. During the off-site direction to another school, pupils must be dual registered and the placement will be monitored and regularly reviewed.

A managed move (permanent transfer) is used to initiate a permanent transfer to another mainstream school initiated as a positive and supportive measure. We recognise that managed moves should only occur when it is in the pupil's best interests. They must not be used to circumvent the exclusion process. The Head of School must ensure that preventative measures, early intervention and multi agency engagement are considered before exclusion,

Further details about preventative measures to school exclusion can be found on p 3 and 19 of the 2024 guidance.

Duty to inform parents about an exclusion

If the decision is taken to suspend or permanently exclude a pupil, the Head of School will, without delay, notify parents of the period of the suspension or permanent exclusion and the reason(s) for it. They will also provide parents with the following information in writing:

- *the reason(s) for the suspension or permanent exclusion;*
- *the duration of a suspension or, for a permanent exclusion, the confirmation of permanence*
- *parents' right to make representations about the suspension or permanent exclusion to the school's Academy Committee and how the pupil may be involved in this;*
- *how any representations should be made; and*
where there is a legal requirement for the governing board to consider the
- *suspension or permanent exclusion, that parents have a right to attend a meeting, to be represented at that meeting (at their own expense) and to bring a friend.*
- *How to access independent advice*
- *Arrangements for Day 6 education (if applicable)*

Written notification of the information above will be provided by delivering it directly to the parents, leaving it at their usual or last known home address, or posting it to that address. Notices can also be given electronically by email.

Where a suspended or permanently excluded pupil is of compulsory school age, the Head of School will also notify the pupil's parents of the days on which they must ensure that the pupil is not present in a public place at any time during school hours. These days are the first five school days of a suspension or permanent exclusion (or until the start date of any full-time alternative provision or the end of the suspension where this is earlier). Any parent who fails to comply with this duty without reasonable justification commits an offence and may be given a fixed penalty notice or be prosecuted. The Head of School will notify the parents of the days on which their duty applies without delay and, at the latest, by the end of the afternoon session on the first day of the suspension or permanent exclusion.

When notifying parents about a suspension or permanent exclusion, the Head of School will set out what arrangements have been made to enable the pupil to continue their education prior to the start of any alternative provision or the pupil's return to school.

Additional information can be found about the school's duties to inform different stakeholders of an exclusion starting on p26 of the guidance. This includes the duties upon all those responsible for a pupil's care to ensure correct support and protection is provided during a suspension or permanent exclusion.

The Academy Trust Committee responsibilities must ensure that:

- Decisions are lawful, reasonable, fair and compliant
- All relevant evidence is considered
- Remote access meetings follow statutory rules and consent requirements
- Full time education is secured from Day 6 for permanently excluded pupils
- Exclusion data is monitored across the Trust for patterns or disproportionality
- Equality Act duties are fulfilled, including reasonable adjustments
- Vulnerable pupil groups receive appropriate protection and oversight
- Clear written communication is provided to parents following decisions

Independent Review Panel (IRP)

Parents may request an IRP if the Academy Committee upholds a permanent exclusion. The IRP:

- Is independent and impartial
- Considers whether the decision was lawful, reasonable, and procedurally fair
- May recommend reconsideration, quash the decision, or uphold it
- Must offer parents a SEN expert, whether or not the pupil has identified SEND

The governing board must reconvene if the IRP directs reconsideration.

Cancelling an Exclusion (Rescinding)

In line with the Suspension and Permanent Exclusion Guidance (August 2024), the headteacher may

cancel an exclusion (sometimes referred to as withdrawing or rescinding an exclusion) at any point before the governing board has met to consider reinstatement. If an exclusion is cancelled, the school must notify the parents, the governing board and the local authority without delay, and where applicable, the pupil's social worker and/or Virtual School Head (VSH). The cancellation should be recorded, and appropriate follow-up actions outlined in the guidance must be completed to ensure that the pupil receives the correct support upon their return. This process ensures transparency, maintains accurate records, and supports the pupil's welfare in accordance with statutory requirements. Cancelled exclusions do not count towards the pupil's permanent record.

Equality Impact Statement

Names and title of people involved with this assessment	Rachel Robinson Assistant Trust Director of Inclusion
Impact assessment carried out with regard to identified characteristics	☒ Race ☒ Disability ☒ Sex ☒ Age ☒ Religious belief ☒ Sexual Orientation ☒ Gender Reassignment
Summary of any issue/proposed changes	Updated to reflect to DfE guidance published in August 2024
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