



LEICESTER THERAPEUTIC SCHOOL

BUILDING FOUNDATIONS THROUGH NURTURE AND MINDSET

Suspensions and Permanent Exclusions Policy

Policy Owner	Leicester Therapeutic School
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Safeguarding at Leicester Therapeutic School

At Leicester Therapeutic School, we are committed to providing an environment in which students feel safe and secure to access their education. All stakeholders are responsible for ensuring the safety and well-being of children. Safeguarding is everyone's responsibility, and all staff are encouraged to maintain an "it could happen here" attitude. We recognise our responsibility to safeguard all who access school and promote the welfare of all our pupils by protecting them from physical, sexual and emotional abuse, neglect and bullying. Leicester Therapeutic School are dedicated to creating a strong safeguarding culture, and that the safety and well-being of children is the central thread that embeds itself through all aspects of the school. If a person is concerned about anything they read, witness or hear with regards to the school, they should contact the school's designated safeguarding lead immediately or Headteacher. Safeguarding, and the safety and well-being of all pupils at Leicester Therapeutic School is carefully considered and a central theme through all school policies.

Special Educational Needs & Disabilities (SEND) at Leicester Therapeutic School

At Leicester Therapeutic School, we are passionate about providing an inclusive education to children with special educational needs. We recognise and celebrate the individuality of our pupils and use personalised approaches, allowing pupils with SEND to feel supported during the school day. We strive to provide pupils with the same opportunities and experiences that pupils would have received at a mainstream school, believing passionately that in the right environment, with the right support, pupils will flourish in education. We do this by focusing on providing a SEND friendly environment, an adapted curriculum and a strong focus on developing pupils' personal, social and emotional development. The special educational needs and disabilities of all pupils at Leicester Therapeutic School is carefully considered and a central theme through all school policies. For more information, please read the school's SEND Information Report.

1. Suspension and Permanent Exclusion Policy Aims

Leicester Therapeutic School's exclusion policy aims to ensure that:

- The exclusions process is applied lawfully, fairly and consistently
- The exclusions process and appeal process is understood by governors, staff, parents and pupils
- Pupils in school are safe and happy
- Education and support continue as far as practicable, with prompt planning to prevent a pupil becoming missing from education.

2. Legislation and Guidance

Leicester Therapeutic School is an independent special school. It must meet the independent school standards and applicable equality, safeguarding, SEND and pupil registration requirements. The DfE suspension and permanent exclusion guidance for maintained schools, academies and pupil referral units does not govern exclusions from this school. We draw on its principles of fairness and prevention where appropriate.

The school's decisions and review arrangements are governed by this policy, its complaints procedure, applicable law and any relevant placement agreement. Relevant legislation includes:

- The Education (Independent School Standards) Regulations 2014, including behaviour, safeguarding, complaints and leadership requirements.
- The School Attendance (Pupil Registration) (England) Regulations 2024, governing attendance records and lawful deletion from the admission register.
- Additional relevant duties arise under:
- The Education Act 1996, including local authority duties concerning suitable education where the statutory conditions apply.
- The Children Act 1989 and applicable safeguarding requirements.
- The UK GDPR and Data Protection Act 2018, concerning secure and lawful handling of pupil information.
- [The Equality Act 2010](#)
- [Children and Families Act 2014](#)

Under the Equality Act 2010, Leicester Therapeutic School will not discriminate against, harass or victimise pupils because of their; sex, race, disability, religion or belief, sexual orientation, because of pregnancy or maternity or gender reassignment. For disabled pupils, Leicester Therapeutic School will comply with our duty to make 'reasonable adjustments' to policies and practices, which should be considered before the decision is made to exclude.

3. Off-Rolling

The school will not use informal exclusion or pressure families to withdraw a pupil. Off-rolling includes:

Removing a pupil from the roll, or encouraging withdrawal, primarily for the school's interests rather than the pupil's, without a proper and lawful process.

We will not suspend or exclude pupils unlawfully by directing them off site, or not allowing pupils to attend school:

- Without using the school's formal procedure and accurately recording the absence, including sending a pupil home to "cool off".
- Because they have special educational needs and/or a disability (SEND) that the school feels unable to support
- Due to poor academic performance
- Because they haven't met a specific condition, such as attending a reintegration meeting
- By exerting undue influence on a parent to encourage them to remove their child from the school

4. Definitions

Suspension – When a pupil is removed from the school for a fixed period. This was previously referred to as a 'fixed-term exclusion'.

Permanent exclusion – A disciplinary decision to end a pupil's place at the school, subject to the review arrangements below. Deletion from the admission register is a separate step requiring a lawful ground.

Change of placement – A move agreed through appropriate placement and local authority processes. The school will not assume statutory off-site direction powers available to other school types or use a move to conceal an exclusion.

Parent – Any person who has parental responsibility and any person who has care of the child.

School day – A day on which pupils are expected to attend a school session. Staff training days are excluded from periods expressed in school days.

5. Roles and Responsibilities of the Headteacher

Only the Headteacher, or acting Headteacher, can suspend or permanently exclude a pupil from school on disciplinary grounds. The decision can be made in respect of behaviour inside or outside of school. The Headteacher will only use permanent exclusion as a last resort.

Permanent exclusion will be considered only where both of the following apply. Any suspension must also be necessary, proportionate and for a stated period:

- In response to serious or persistent breaches of the school's Positive Behaviour policy, and
- If allowing the pupil to remain in school would seriously harm the education or welfare of the pupil and/or others

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

- Consider all the relevant facts and evidence on the balance of probabilities, including whether the incident(s) leading to the exclusion were provoked

- Hear the pupil's account using suitable communication support, an advocate or additional processing time where needed.
- Consider safeguarding, disability, unmet need, EHC plan provision, reasonable adjustments, trauma and the pupil's individual circumstances, including social care or care experience.

The Headteacher will record why suspension is necessary, the alternatives considered, its duration and the support required for return. An early EHC plan review will be requested where provision or placement is in doubt. Suspension will not be extended automatically or simply to await a meeting; any further decision requires a fresh, recorded assessment and written notification.

The pupil's views will be sought before a decision wherever practicable, using their preferred communication methods. If immediate safety requires a decision first, the reasons will be recorded and the pupil's account obtained as soon as possible so the decision can be reconsidered.

A temporary part-time timetable may be considered only in exceptional circumstances to meet individual needs, with parental agreement, local authority involvement where relevant, safeguarding assessment, regular reviews and a clear end date and return-to-full-time plan. It must not be a disciplinary sanction or an indefinite substitute for suitable provision. It is not automatically a reasonable adjustment.

Contributing Factors

When considering whether to exclude, head teachers should take account of any contributing factors identified after an incident of poor behaviour has occurred – for example, where it comes to light that a pupil has suffered bereavement, has mental health issues or has been subject to bullying.

Early Intervention

The school will intervene early by reviewing EHC plan provision, communication and sensory needs, relationships, staffing, teaching and positive behaviour support. It will seek specialist advice and a multi-agency review where necessary.

Effectiveness

Repeated suspensions will trigger a review of support, provision and the effectiveness of the response. The statutory 45-day annual limit and governing-body review thresholds for maintained schools and academies are not presented as rules governing this independent school. Every suspension must be justified individually and kept as short as reasonably necessary.

Informing Parents

If a pupil is at risk of suspension or exclusion the Headteacher will inform the parents as early as possible, in order to work together to consider what factors may be affecting the pupil's behaviour, and what further support can be put in place to improve the behaviour. If the Headteacher decides to suspend or exclude a pupil, the parents will be informed of the period of the suspension or exclusion and the reason(s) for it.

The parents will also be provided with the following information in writing, without delay:

- The decision, reasons, evidence considered and how SEND and reasonable adjustments were taken into account.
- The start and end dates, return arrangements, education and safeguarding support during absence.
- How parents and the pupil can make representations or request a review, with contact details and applicable timescales.
- Any proposed EHC plan review, including who has been invited. Such a review informs provision planning; it is not a disciplinary appeal and does not automatically turn a suspension into permanent exclusion.

Parents will be informed promptly on the day of the decision, with written confirmation normally within 24 hours. Safe handover and supervision will be arranged before the pupil leaves; they will not be sent away without a safe plan.

Informing the proprietor body

The Headteacher will notify the designated proprietor or governor promptly about:

- Any permanent exclusion or proposal to end a placement.
- Repeated suspensions or a proposed extension.
- Any suspension that raises a significant education, safeguarding or welfare concern.
- Any effect on a public examination or statutory assessment, where relevant.

All suspensions will be recorded and reported in an anonymised termly summary to the proprietor body. Anyone who may later hear a review must avoid involvement in the original decision.

Informing the pupil's social worker and/or virtual school head (VSH)

If a:

- Pupil with a social worker is at risk of suspension or permanent exclusion, the Headteacher will inform the social worker as early as possible
- Pupil who is a looked-after child (LAC) is at risk of suspension or exclusion, the Headteacher will inform the VSH as early as possible

This is in order to work together to consider what factors may be affecting the pupil's behaviour, and what further support can be put in place to improve the behaviour.

If the Headteacher decides to suspend or permanently exclude a pupil with a social worker / a pupil who is looked after, they will inform the pupil's social worker / the VSH, as appropriate, without delay, that:

- They have decided to suspend or permanently exclude the pupil
- The reason(s) for the decision
- The length of the suspension or, for a permanent exclusion, the fact that it is permanent
- The suspension or permanent exclusion affects the pupil's ability to sit a National Curriculum test or public exam (where relevant)

Where appropriate, the pupil's social worker and virtual school head will be invited to planning or review meetings to advise on safeguarding, support and the pupil's circumstances. Information will be shared lawfully and only as necessary.

Informing the Local Authority (LA)

The school will notify the commissioning and home local authority, as relevant, without delay of suspension or permanent exclusion, giving reasons, dates, safeguarding concerns and proposed education arrangements. It will meet applicable placement-agreement and registration reporting requirements and seek an early EHC plan review where needed.

4. Responsibilities of the Proprietor Body and Review Arrangements

- The proprietor body will oversee fair implementation and appoint an uninvolved person to consider formal representations. Where the Headteacher is also a proprietor, they must not review their own decision.
- Parents may request a review of a suspension or permanent exclusion in writing to the Chair or another unconflicted proprietor, normally within 10 school days of written notification. Reasonable extensions and accessible ways to make representations will be considered.
- The school will agree education arrangements promptly with the local authority and family. As a school commitment, for a suspension lasting beyond five school days it will seek to ensure suitable full-time education from day six, with responsibilities and provision confirmed in writing.
- A review panel will consider whether the decision was fair, lawful and proportionate, including reasonable adjustments and support. It may uphold the decision, overturn it or require reconsideration. Written reasons and any resulting action will be given to parents.

Monitoring and analysing suspensions and exclusions data

The proprietor body will review suspension, permanent exclusion and placement-change information, including:

- How effectively and consistently the school's behaviour policy is being implemented
- The school register and absence codes
- Instances where pupils receive repeat suspensions
- Interventions in place to support pupils at risk of suspension or permanent exclusion
- Any variations in the rolling average of permanent exclusions, to understand why this is happening, and to make sure they are only used when necessary
- Timing of moves and permanent exclusions, and whether there are any patterns, including any indications which may highlight where policies or support are not working
- The characteristics of suspended and permanently excluded pupils, and why this is taking place
- Whether agreed alternative provision is suitable, safe, reviewed regularly and meeting the pupil's needs.
- Whether resources and support could remove avoidable barriers to continued attendance.

5. Working with the Local Authority

The school will liaise urgently with the local authority about its duties under section 19 of the Education Act 1996 and the EHC plan, as applicable. It will not assume that the maintained-school sixth-day exclusion regime automatically determines the arrangements for an independent-school pupil. Any gap in education will be escalated promptly to the responsible local authority officer.

6. Education and Welfare During Absence

From the first day of absence, the school will provide accessible learning, feedback and appropriate contact wherever practicable while suitable arrangements are agreed. Work will take account of communication, sensory and learning needs; online access will not be assumed.

For pupils with a social worker or who are looked after, the school will involve the social worker and virtual school head promptly to plan education and welfare support from the first day. The plan will identify who checks the pupil's safety and engagement.

7. Returning from Suspension

A supported reintegration discussion will be offered to the pupil and parents, with relevant staff and professionals. Return will not be made conditional on attendance at the meeting. Arrangements may include:

- Reviewing the incident and the learning opportunities
- Further support strategies to support pupils' understanding of acceptable and unacceptable behaviours
- Agreeing accessible, realistic expectations and a positive support plan.
- Specific intervention relating to behaviour or SEND, aiming to promoting positive behaviour
- Any other reasonable and proportionate health and safety procedure that keeps all pupils safe.

The pupil will return when the stated suspension ends unless a fresh, justified decision has been made and notified. Outstanding meetings, parental disagreement or an unsigned behaviour agreement will not, by themselves, prevent return.

8. Parent Representations

Parents and pupils may challenge either suspension or permanent exclusion. They may request the review described above without first completing informal discussions. Complaints about procedure can also be raised through the school's published complaints procedure:

Stage 1 – Informal discussion with an appropriate senior leader, where suitable.

Stage 2 – Written complaint considered by an appropriate person who can address the concern; a complaint about the Headteacher's decision goes to an unconflicted proprietor or governor.

Stage 3 – A panel hearing, with at least three people not directly involved in the matters complained about, including at least one independent of the management and running of the school.

Parents may attend the panel and be accompanied. Relevant evidence will be shared in advance, subject to necessary confidentiality, and the panel will give written findings, recommendations and reasons. The school will aim to arrange the exclusion review within 10 school days of the request and give its written outcome within five school days of the hearing; any delay will be explained with a revised date. There is no statutory independent review panel under the maintained-school exclusion regime. This internal process does not remove external legal rights, including disability discrimination claims to the SEND Tribunal or concerns to the DfE about the independent school standards.

9. Monitoring Arrangements

The Headteacher will report termly on exclusions, repeat suspensions, education during absence and reintegration outcomes. The proprietor body will review this policy by September 2027. Before deleting a pupil from the admission register, the school will establish and record a lawful ground under the 2024 registration regulations, meet notification duties and obtain any required local authority consent. Permanent exclusion or notice to terminate a placement does not itself permit immediate deletion in every case.