



Wye School
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Part of United Learning

Exclusions Policy

Review Timetable

The Policy will be reviewed every year, as set out below:	
Policy reviewed centrally	n/a
Policy tailored by individual schools	September 2025
Policy ratified by Local Governing Bodies	October 2025
Renewal Date	October 2026
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Wye School Exclusions Policy

Links with other Policies

The Exclusion Policy should be read alongside the following:

Wye School Behaviour Policy;

Wye School Anti-Bullying Policy;

Wye School Safeguarding Policy.

Sections

1. Guiding principles
2. Statutory framework
3. Types of exclusion
4. The decision to exclude
5. Notification of parents/carers
6. Appeals

1. Guiding principles

At Wye School, our ethos is clear: we believe that learning is the most important reason for being at the School and that nothing should stop learning. To ensure good order and behaviour for learning it may be necessary to suspend students from attending school, or to permanently exclude them.

We view exclusion as a last resort when all other possible methods of managing student behaviour have been exhausted. The decision to exclude is never taken lightly and careful consideration is taken of the facts and contributing factors before reaching the decision to exclude.

We recognise the impact of exclusion on both the education and well-being of students and their families. We also recognise the impact of social exclusion which can result from the permanent exclusion of a student.

Students are managed consistently but not necessarily in a uniform manner. When considering the decision to exclude, appropriate consideration will be given to the student and the circumstances, as well as the education, welfare and safety of the student or other students at School. We will also consider the student's prior record.

We will do all we can to prevent spiralling of behaviour and repeated patterns of exclusion for individuals. As our Behaviour Policy notes, we aim for behaviour modification and interventions which have an impact. Our Pastoral Team monitor patterns of behaviour to identify students who are persistently misbehaving, whose behaviour is not improving following low-level sanctions or whose behaviour reflects a sudden change from previous patterns of behaviour. We aim to take a proactive approach, to reduce the likelihood of suspension and permanent exclusion.

We are committed to using alternatives to permanent exclusion such as managed moves and alternative provision, where appropriate, and will work with other local education providers through Ashford Heads, screening meetings and Kent County Council, to this end.

Managed moves will only be used on a voluntary basis and with the agreement of all parties (including parents) and the admission authority of the new school and only where it is in the best interests of the student. As such, managed moves will only be offered as part of a planned intervention.

Fighting or unprovoked serious violence; use, possession or dealing of drugs, alcohol, or legal highs of any type, are likely in all normal circumstances to lead to suspension (a fixed period of exclusion) or permanent exclusion.

This policy relates to behaviour not only in school but also to behaviour out of school: for example, travelling to and from school; on school trips; work experience placement; over the telephone or online (such as on social media) etc.

Any form of exclusion is the ultimate sanction and the decision to exclude is the Principal's alone, or in his absence, the designated teacher in charge.

During longer suspensions, the Principal (or designated member of school staff) should remain in contact with the student to monitor and ensure the safety and welfare of the student where there are safeguarding or welfare concerns. In a standard suspension, the school will have spoken to the parent before it commences and be aware the parent understands their child will be at home during the suspension, or aware of what any 6th day provision arrangements are.

2. Statutory framework

Wye School Exclusion policy is written in line with the DfE guidance ['Suspension and permanent exclusion from maintained schools, academies and student referral units in England, including student movement'](#).

Sanctions should be applied fairly, reasonably, and proportionately and after due investigative action has taken place. Particular care should be taken when taking decisions to exclude children with Special Education Needs and/or Disability (SEND) and those groups with disproportionately high rates of exclusion, paying particular regard to the school's duties under the Equality Act 2010. These duties need to be complied with when deciding whether to exclude a student. Schools must also ensure that their policies and practices do not discriminate against students by unfairly increasing their risk of exclusion. Provisions within the Equality Act 2010 allow schools to take positive action to deal with particular disadvantages, needs, or low participation affecting one group, where this can be shown to be a proportionate way of dealing with such issues.

The Principal and governing body must comply with their statutory duties in relation to SEND when administering the exclusion process. This includes having regard to the SEND Code of Practice.

Looked After Child (LAC) and Previously LAC

Where a student has a social worker and they are at risk of suspension or permanent exclusion, the social worker, Designated Safeguarding Lead (DSL) and the student's parents should be informed to involve them as early as possible in relevant conversations. Where a LAC is likely to be subject to a suspension or permanent exclusion, the Designated Teacher should work with the Virtual School Head to 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. Similar safeguards apply to previously LAC (see paragraphs 58-62, DfE Guidance for further information).

3. Types of exclusion

Suspension (a fixed period of exclusion)

A decision to suspend a student for a fixed period may be taken in response to breaches of the School's Behaviour Policy. Examples of behaviour that may lead to suspension include the following:

- verbal abuse of staff or student;
- physical abuse of staff or student;
- indecent behaviour;
- damage to property;
- possession of a banned item including drugs, alcohol, legal highs, weapons and pornography;
- theft;
- persistent poor behaviour, see Behaviour Policy;
- persistent pattern of serious behaviour, including refusing to co-operate with staff and open defiance and rudeness, see Behaviour Policy.

It should be noted that behaviour outside of school can be taken into consideration:

Behaviour Outside School

The Principal (or designated teacher in charge) may exclude or otherwise sanction students even if the circumstances giving rise to exclusion occur when the student is out of school, provided that behaviour is relevant to the maintenance of good behaviour in the school.

Police Involvement and Parallel Criminal Proceedings

The process of exclusion from school and criminal proceedings can, and should, run parallel. The Principal need not postpone taking a decision on an exclusion solely because a police investigation is underway and/ or any criminal proceedings may be brought. In such circumstances, the Principal will need to take a decision on the evidence available to them at the time. In all cases, schools should follow general safeguarding principles as found in Keeping Children Safe in Education. Where the evidence is limited by a police investigation or criminal proceedings, the Principal should consider any additional steps they may need to take to ensure that the decision to exclude is fair. However, the final decision on whether to exclude is for the Principal to make. It is also critical that a school does not undermine the evidence gathering in a parallel police investigation: the school should consult with police before carrying out its own investigation.

This is not an exhaustive list and there may be other examples of behaviour where the Principal judges that suspension is an appropriate sanction.

The Principal may suspend a student for one or more fixed periods which do not exceed a total of 45 school days in any one school year. A suspension can also be for parts of the school day. For example, if a student's behaviour at lunchtime is disruptive, they may be suspended from the school premises for the duration of the lunchtime period. A lunchtime exclusion is equivalent to a half day exclusion.

During a suspension of 5 or fewer days, work will be set by the school for the student to complete at home. This work should be returned completed at the end of the suspension for marking. For a suspension of longer than 5 days, the school will arrange full-time educational provision from the sixth day.

Before the end of any suspension, parents will be invited to attend a Moving Forward Meeting at the school with their child. The purpose of the meeting is to ensure that the child understands the reason for the suspension and is committed to preventing the behaviour that led to the suspension from being repeated. It also allows the relationship between the school and student to be rebuilt if necessary and a fresh start for the student following the suspension. The School will consider all further support needed for the student, including referrals to external agencies. Any agreed actions from this meeting will be sent to parents. Where possible this meeting should include the student's parents. However, it is important to note that a student should not be prevented from returning to a mainstream classroom if parents are unable or unwilling to attend a reintegration meeting.

During the first five days of any exclusion, the parents of an excluded student must ensure that they are not present in a public place during normal school hours without reasonable justification, whether with or without a parent. Parents can be prosecuted or given a fixed penalty notice of £120 if they fail to do this. The student may also be removed from the public place by the police and taken to designated premises. If the Local Authority is advised that a parent has failed to comply with supervision requirements during the first 5 school days of an exclusion, our School Attendance Service will take further action if, after enquiries/evidence gathering, the relevant officer decides that there are sufficient grounds on which to proceed.

Repeated use of suspension for children with an EHCP (and potentially those on SEN Support (especially those undergoing statutory assessment and likely to get an EHCP), or where the school knows or could reasonably be expected to know, that the child has a disability, could be considered ineffective or failing to sufficiently meet a child's needs. There is an expectation that where this is occurring, schools should ensure the SENCO is involved as part of a behaviour intervention and planning process to elicit different approaches to improving the child's behaviour. This may involve advice from colleagues / specialists such as an educational psychologist, speech and language therapist, literacy specialist etc.

Permanent Exclusion

A permanent exclusion is when a student is no longer allowed to attend a school (unless the student is reinstated). The decision to exclude a student permanently should only be taken:

- in response to a serious breach or persistent breaches of the school's behaviour policy; and
- where allowing the student to remain in school would seriously harm the education or welfare of the students or staff in the school.

For any permanent exclusion, the Principal will take reasonable steps to ensure that work is set for students during the first five school days where the student will not be attending alternative provision. Any appropriate referrals to support services or notifying key workers (such as a student's social worker) should also be considered.

4. The decision to exclude

The decision to exclude is made solely by the Principal. In his absence, the power rests with the designated teacher in charge, usually the Vice Principal, who should make it clear that they are acting in the Principal's absence.

Before reaching a decision as to whether to exclude the Principal will:

- ensure that a thorough investigation has been carried out, taking into account:
 - the degree of severity of the offence;
 - the likelihood of re-occurrence (including a consideration of the student's previous behavioural record – taking care to be clear what behavioural incidents the student is actually being excluded for);
 - contributory factors (e.g. recent bereavement, mental health issues, bullying, special educational needs and disabilities, peer on peer abuse, harassment);
 - support/or adjustments previously provided;
 - the school behaviour policy, special educational needs policy and equality law obligations.
- consider all the evidence available to support the allegations, taking into account the School's behaviour and equal opportunities policies, and where applicable the Equality Act 2010 as amended;
- be satisfied that, on the balance of probabilities, the student did what he/she is alleged to have done;
- allow and encourage the student to give their version of events, in writing if possible;
- check whether an incident may have been provoked, for example by bullying (including homophobic bullying) or by racial/sexual harassment;
- consider whether the proposed sanction is proportionate in itself and in light of the treatment of any others involved in the incident;
- consult others if necessary (being careful not to involve anyone who may later take part in the statutory review of their decision e.g. a member of the Governors Review Meeting);
- keep a record of the actions taken (and copies of written records made by other members of staff), including any interview with the student concerned. Witness statements, if taken, must be dated, and should be signed, wherever possible. Witness statements should always be taken where the facts of the incident are disputed, this can happen during the suspension if it was not possible to do it before it commences as the incident merited an immediate response or the student was unavailable before. Where relevant, the student should be given support to express their view, including through advocates such as parents or social workers;
- be satisfied that the decision to exclude the student was lawful, reasonable, and procedurally fair, taking account of their legal duties.

The decision to exclude a student should routinely follow the processes above but where there is an immediate threat to the safety of others in the school or the student themselves, where the student has become emotional for a prolonged period or is refusing to follow instructions from staff, or where the incident happened in a way that means a full investigation takes time, the Principal will take a decision based on the evidence available at that moment. If deeper investigation then changes the evidence, the Principal may choose to withdraw the exclusion at any time prior to it being reviewed by the

governors. If this occurs, parents, the LGB and the local authority should be notified, and if relevant, the social worker and Virtual School (Virtual School Kent – VSK, in the case of this LA or the Virtual School of the LA the student is from if out of county). Where the investigation of a serious incident may not be immediately possible due to the complexity of the incident, the involvement of the police or other external agencies, or the need to gather statements from a number of witnesses the Principal may issue a suspension, 'pending further investigation', to allow an investigation to take place and to give the opportunity to make a reasoned decision. Once the investigation is complete, the Principal will make the decision for the student to return to school, or to issue a further suspension, or to arrange a transfer, or to issue a permanent exclusion to begin immediately after the end of the fixed period suspension. Similarly, the Principal may choose to withdraw an exclusion on the basis of new evidence.

The standard of proof applied when deciding to exclude is on the balance of probabilities i.e. it is more probable than not that the student did what he or she is alleged to have done. The more serious the allegation, the more convincing the evidence substantiating the allegation needs to be.

Once the decision has been made to exclude, a student will only be sent home once contact has been made with the parent/carer and where it is clear that the student will be returning to a place of safety. Work will be provided and either sent with the student, sent via email, or arrangements made for collection.

Where there are no doubts as to the facts of the incident and the Principal has been able to hear the child's version of events* and to take in to account relevant considerations (including support provided, the child's SEND or LAC status if appropriate and any mitigating circumstances) then a PEX could be issued that day in line with the statutory guidance.

*where the facts are disputed, on occasion the witness statements and possibly CCTV evidence will be clearcut and indisputable and a decision can be based on these. However, the views of the child should still be sought before the panel hearing to enable a fair final decision.

5. Notification of parents/carers

Whenever the Principal excludes a student, the School will notify the parent/carer without delay, ideally by telephone. If the student has a social worker, or if the student is looked-after, the School must now, also without delay after their decision, notify the social worker and/or the relevant Virtual School (Virtual School Kent for children in care from Kent), as applicable. The exclusion will then be confirmed by a letter signed by the Principal, or designated teacher in charge. The letter will outline: the reason for the exclusion; the date/s of the exclusion; the time of the reintegration meeting; details on how to make representations to the LGB; and how to make a claim and/or appeal the exclusion on the grounds of disability discrimination, should parents/carers believe this has occurred.

In exceptional circumstances, usually where further evidence has come to light, a further suspension may be issued to begin immediately after the first suspension, given 'pending further investigation'; or a permanent exclusion may be issued to begin immediately after the end of the suspension. In this case a second letter will be sent to the parents/carers explaining the reasons for the further exclusion.

In the case of a suspension of more than 5 days, parents/carers will be informed of arrangements for 6th day provision, in writing, at least 48 hours before the provision is to commence.

6. Appeals

The School has a Local Governing Body (LGB) which has responsibility for supporting the Principal in making decisions and reviewing them in relation to exclusions.

The LGB has a duty to facilitate and consider the representations of parents and can either uphold the exclusion or direct reinstatement (and, if the latter is not practical, still consider if the decision to exclude was justified). The decision of the LGB will be given in writing, without delay, and will give the reasons for the decision.

The Local Governing Body will consider any exclusion which results in a student being excluded for more than 15 school days in any one term, any permanent exclusion, or any exclusion which would

result in a student missing a public examination. This review will take place whether or not the parent requests it. The LGB will decide whether to reinstate the student, if appropriate, or whether the Principal's decision to exclude was justified and appropriate.

If requested to do so by the parents, the LGB will meet and consider the reinstatement of a student excluded for more than 5 days but not more than 15 within one school term.

In the case of one or more exclusions totalling 5 days or fewer in a school term, the LGB will consider any written representations from a parent, but they cannot direct reinstatement of the student.

If a student has a social worker, or if the Virtual School (VS) is involved with the student, the social worker or VS representative can share information surrounding any adversity or difficulties the student may have been experiencing. They can provide important information that helps the LGB understand the experiences of a student and their welfare. Virtual School representatives should also be able to advise the Board on any possible contribution the student's circumstances could have made to the suspension or permanent exclusion.

Parents have the right to appeal the decision to permanently exclude their child to an Independent Review Panel (IRP) within 15 days of receiving a letter from the LGB confirming the decision to uphold a permanent exclusion. The parent must apply in writing, together with the grounds and evidence, for a review within 15 days, and this must be sent to Caroline Castle, Clerk to the LGB.

The set up and process of the IRP is set out in the DfE [Suspension and Permanent Exclusion guidance](#), including the timeframe, constitution, and the powers of the IRP. The Independent Review Panel can either uphold the decision to exclude the student or direct or recommend that the school reconsiders the exclusion. They cannot, however, direct the reinstatement of the student.

Parents have the right to request a special educational needs expert. Parents also have the right to bring an Equality Act claim for discrimination to the First Tier Tribunal (for disability discrimination) or to the County Court (for other forms of discrimination). If a student has a social worker, or if the Virtual School is involved with the student, either party can attend the IRP meeting, should they wish to do so.

The Local Authority does not have a decision-making role in the exclusion process for any United Learning school. A representative from the LA can however attend the Behaviour Committee or Independent Review Panel if requested by the parent. They can only make representations if invited to do so by the Chair of the respective bodies.

7. Cancelling a suspension or PEx

The purpose of the investigation is to ensure that the right decision is made. However, in very rare cases it is possible that further evidence comes to light, once a suspension or PEx has been issued, that had it been known at the time would have led to a different decision.

Should Wye School find themselves in this position, a suspension or PEx *can* be cancelled or rescinded, providing it is done so before the LGB has considered it. This means that a suspension or PEx cannot be cancelled during a LGB hearing. Where a decision to cancel is taken, the Principal should ensure a letter is issued and placed in the student's file. The Principal should notify parents, the LGB and the Local Authority without delay, and if relevant, the social worker and VSH. The notification must also provide the reason for the cancellation.

The Principal should offer parents the opportunity to meet them to discuss the circumstances that led to the exclusion being cancelled. **NB** A PEx cannot be cancelled if the student has already been excluded for more than 45 School days in a school year, or if they will have been so by the time the cancellation takes effect. Further details are set out in paras 13 and 14 of the [DfE guidance](#).

Any days spent out of school as a result of any exclusion, prior to the cancellation, will count towards the maximum of 45 school days permitted in any school year.

8. Education of excluded students

The school's obligation is to ensure education continues while the student is on roll. In all cases of exclusion, work should be set from day one and marked. Any appropriate referrals to support services (e.g., children services if there are potential safeguarding concerns) or notifying key workers (such as a student's social worker) should also be considered. During a suspension, the school's legal duties to students with disabilities and SEN remain in force, for example, to make reasonable adjustments in how they support disabled students during this period. Where a student is given a suspension of six school days or longer, the school must arrange full time educational provision from and including the sixth day of exclusion.

The Local Authority is required to arrange full time educational provision for permanently excluded students from the sixth day of a permanent exclusion. Once a Principal has decided to permanently exclude a student, the Local Authority will arrange to assess the student's needs and how to meet them (even though the exclusion might still be overturned by the Behaviour Committee). The student's name will be deleted from the school roll only if:

- (i) the student was permanently excluded; and
- (ii) 15 school days have passed since the parent was notified of the Behaviour Committee's decision to uphold the permanent exclusion and no application has been made for an independent review panel; or
- (iii) the parent has stated in writing they will not be applying for an independent review panel.

It is the responsibility of the Local Authority to offer an alternative school place.