

Willow School



Suspension and Permanent Exclusion Policy

Date: October 2026

Review Date: October 2027

Purpose

Willow School is an independent specialist school for pupils with special educational needs and disabilities (SEND). All of our pupils have an Education, Health and Care Plan (EHCP) and are placed with us by a local authority. Many of our pupils communicate distress, anxiety, sensory overload or unmet need through their behaviour.

We recognise behaviour as communication. Our approach, set out in the Behaviour Policy, is relational, restorative and personalised. Suspension and permanent exclusion are therefore used rarely and only when they are lawful, reasonable, fair and proportionate. Permanent exclusion is a last resort.

This policy explains:

- When the Headteacher may decide to suspend or permanently exclude a pupil, and how special educational needs are always taken into account
- The process the school will follow, including who is informed and when
- How parents and carers can ask for a decision to be reviewed
- How pupils are supported to return to school successfully
- How the Proprietors monitor the use of suspension and exclusion.

The safety and welfare of all pupils and staff remains of paramount importance.

Legislation and Guidance

As an independent school, Willow School is not bound by the Department for Education (DfE) statutory guidance on suspension and permanent exclusion, which applies to maintained schools, academies and pupil referral units. We do, however, have regard to it as best practice and this policy has been written in line with:

- Suspension and permanent exclusion from maintained schools, academies and pupil referral units in England, including pupil movement, DfE (in force from 26 July 2026)
- The Education (Independent School Standards) Regulations 2014, Schedule 1 — in particular Part 3, paragraph 9 (behaviour policy and records of sanctions) and Part 7 (complaints)
- The Equality Act 2010, including section 15 (discrimination arising from disability), section 20 (reasonable adjustments) and section 85 (pupils)
- The Children and Families Act 2014 and the SEND Code of Practice: 0 to 25 years
- Keeping Children Safe in Education 2026
- Working Together to Safeguard Children 2023
- The School Attendance (Pupil Registration) (England) Regulations 2024 and Working Together to Improve School Attendance (2024)
- Behaviour in Schools: advice for headteachers and school staff, DfE (2024)
- Restrictive interventions, including use of reasonable force, in schools, DfE (2026)
- The Children's Wellbeing and Schools Act 2026 (provisions relating to home education and children not in school, as they come into force)
- UK GDPR and the Data Protection Act 2018

- The terms of our placement agreements with commissioning local authorities.

Definitions

Term	Meaning in This Policy
The School	Willow School, across its sites.
The Proprietors	The Proprietors of Willow School. The school does not have a governing body; the Proprietors carry out the responsibilities a governing body would hold under this policy.
Headteacher	The Headteacher of Willow School or, in their absence, the Assistant Headteachers if formally designated by the Proprietors.
Suspension	Removing a pupil from the school for a fixed period on disciplinary grounds. This was previously known as a "fixed-term exclusion".
Permanent Exclusion	Removing a pupil from the school permanently, on disciplinary grounds, so that they are removed from the school roll.
Safeguarding Separation	Temporarily asking a pupil not to attend the school site for safeguarding reasons (for example, while an allegation of harm to another pupil is assessed). This is not a disciplinary sanction and is not a suspension.
Informal or Unofficial Exclusion	Sending a pupil home or asking parents to collect or keep a child at home, for behaviour reasons without following this policy. This is unlawful and will not happen at Willow School, even if parents agree.
Placing Local Authority	The local authority that maintains the pupil's EHCP and/or commissions their placement at Willow School.
Parent	Any person with parental responsibility for, or who has care of, the pupil. This includes carers and, for looked-after children, the local authority.

Scope

This policy applies to all pupils across the school sites and to behaviour during off-site activities, educational visits and travel arranged by the school. It also applies to behaviour outside school where there is a clear link to the school or to the safety and welfare of other pupils or staff, in line with the Behaviour Policy.

Willow School is an inclusive school, committed in policy and practice to recognising the equal value of every member of our community and to equality of opportunity for all.

Roles and Responsibilities

Role	Responsibilities
The Proprietors	• Ensure this policy is lawful, implemented and reviewed annually • Receive notification of every suspension, permanent exclusion and safeguarding separation • Consider parents' representations and arrange a Review Panel where requested • Review suspension, exclusion and pupil movement data each term, including any patterns or disproportionate impact
Headteacher	• The only person who may suspend or permanently exclude a pupil; this decision cannot be delegated • Ensures that every decision follows this policy and is recorded • Notifies parents, the placing local authority and others listed in this policy • Ensures education is provided during a suspension and that reintegration is planned
Designated Safeguarding Lead (DSL)	• Is consulted before any suspension, permanent exclusion or safeguarding separation • Considers whether time out of school increases any safeguarding risk to the pupil and takes appropriate action • Leads on safeguarding separation decisions with the Headteacher
Assistant Headteacher — Inclusion and SEND / SENCo	• Advises the Headteacher on the pupil's needs, EHCP provision and reasonable adjustments • Requests an early annual review of the EHCP where a placement is at risk • Leads on updating support plans as part of reintegration
All staff	• Follow the Behaviour Policy, Pupil Risk Assessments and support plans consistently • Record behaviour incidents promptly and accurately on BromCom • Never send a pupil home or ask parents to collect a pupil for behaviour reasons outside this policy

The Decision to Suspend or Permanently Exclude

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

- In response to a serious breach, or persistent breaches, of the Behaviour Policy
- Where 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 only be used as a last resort, where all reasonable support has been tried and documented, or in exceptional circumstances following a single very serious incident.

Examples of behaviour that may, in some circumstances, lead to a suspension or permanent exclusion include, but are not limited to:

- Serious or sustained physical assault or violence towards pupils or staff
- Sexual harassment, sexual violence or sexual misconduct
- Racist, homophobic, sexist or other discriminatory behaviour
- Bullying, including online
- Serious threats, verbal abuse or swearing directed at others
- Deliberate damage or vandalism
- Theft
- Fighting
- Possession of prohibited items, including weapons, drugs, alcohol, tobacco or vapes (as defined in the Behaviour Policy)
- Persistent, high-level disruption to learning or non-compliance, where the graduated support set out in the Behaviour Policy has been exhausted.

The inclusion of a behaviour in this list does not mean that suspension or exclusion will automatically follow. Every decision is made on an individual basis, as set out below.

Taking Special Educational Needs into Account

At Willow School, a pupil's special educational needs and/or disability will always be taken into account. No decision to suspend or permanently exclude will be made on the basis of the behaviour alone. Each decision is contextual and personalised to the individual pupil.

We recognise that behaviours such as swearing, refusal, shouting or leaving a space may be an expression of distress, dysregulation, sensory overload, anxiety, a communication difference or a diagnosed condition (for example, tics). The same behaviour may therefore lead to very different responses for different pupils.

Before reaching a decision, the Headteacher will consider:

- Whether the behaviour is linked to the pupil's SEND, disability or a medical condition
- The context of the incident, including antecedents, triggers, sensory factors, changes to routine, staffing, and any events at home or in the pupil's life
- Whether the provision in the pupil's EHCP, support plan, Positive Behaviour Support Plan, sensory profile and Pupil Risk Assessment was in place and followed
- What reasonable adjustments have been made, and whether any further adjustments could reasonably be made
- The pupil's understanding of the behaviour and its impact, given their age, stage of development and communication needs
- Any recent pattern of physical intervention, seclusion or other restrictive intervention, which may indicate unmet need
- Whether the pupil has a social worker, is looked after or previously looked after, or has other vulnerabilities

- Whether suspension is likely to be effective for this pupil, or whether an alternative would better meet their needs and keep everyone safe.

The Headteacher will record these considerations and the reasons for the decision on BromCom. This record shows that the school has met its duties under the Equality Act 2010 and its best endeavours duty to meet the pupil's special educational needs.

Before a Decision Is Made

Except where there is an immediate risk to the safety of the pupil or others, the Headteacher will only make a decision after:

- An appropriate investigation of the incident, including statements from staff and, where appropriate, pupils
- Considering all of the evidence, deciding on the balance of probabilities whether the pupil did what is alleged
- Seeking the pupil's views, using their usual method of communication (for example, Widgits, a trusted adult, a comic strip or the Repair and Reflect script), and recording them; this will only take place when the pupil is regulated
- Consulting the DSL about any safeguarding implications of the pupil being out of school
- Consulting the Assistant Headteacher for Inclusion and SEND, and other professionals as appropriate (for example, the occupational therapist, social worker or CAMHS)
- Consulting the placing local authority, particularly where permanent exclusion is being considered.

Wherever possible, the school will contact the placing local authority and parents as soon as a pattern of behaviour emerges that may lead to suspension or exclusion, so that we can work together to resolve difficulties early.

Where a pupil needs to go home immediately for safety reasons, this will be recorded as a suspension and the full process in this policy will be followed.

Alternatives to Suspension and Permanent Exclusion

Before suspending a pupil, the school will consider one or more of the following, in line with the graduated response in the Behaviour Policy:

- Reviewing the pupil's support plan, sensory profile and Pupil Risk Assessment, with input from senior staff who do not usually work with the pupil
- Additional support from the occupational therapist, intervention team, ELSA or external agencies
- Increased staffing, with a request to the placing local authority for additional funding where needed
- Supported internal provision: time away from the class in a designated space within school, with a familiar adult. This will be supervised, time-limited and recorded on BromCom; the pupil will be free to leave the space. It is not seclusion, which is only ever used as a safety measure under the Physical Intervention Policy

- A restorative meeting with the pupil and parents
- A request to the placing local authority for an early or emergency annual review of the EHCP, to consider whether the pupil's needs, provision or placement should change.

What the School Will Not Do

- Send a pupil home, or ask parents to collect or keep a child at home, for behaviour reasons without following this policy.
- Use a part-time timetable, reduced day or remote learning as a sanction or as an alternative to suspension (see the Attendance Policy and Remote Learning Policy).
- Suggest or encourage elective home education, or a move to another school, as a way of avoiding exclusion.
- Arrange a "trial" move to another school. For pupils with an EHCP, any change of school is decided by the placing local authority through the EHCP process.
- Suspend or exclude a pupil for something their parents have done, or for reasons such as academic attainment.

These practices could amount to unlawful exclusion or "off-rolling".

Safeguarding Separation

In rare cases, the school may need to ask a pupil not to attend the school site for safeguarding reasons, for example while an allegation of serious harm to another pupil is being assessed. This is not a disciplinary sanction.

A safeguarding separation will only be used where the risk cannot be managed safely while the pupil remains on site (for example, through supervision, timetable changes or separate spaces). Where it is used:

- The decision is made by the Headteacher with the DSL, in line with the Child Protection and Safeguarding Policy and KCSIE 2026
- Parents are informed immediately and in writing, with the reasons and expected duration
- The Proprietors and placing local authority are informed without delay, along with any social worker
- Suitable education is arranged from the first day, agreed with the placing local authority
- The arrangement is time-limited and reviewed regularly, and a reintegration plan is agreed
- The decision takes account of the Equality Act 2010 and the needs and welfare of all pupils involved.

Length of Suspension

- A suspension will be for the shortest time necessary. For most of our pupils this will be one day or less.
- Although not legally required of independent schools, Willow School will not suspend a pupil for more than 45 school days in total in any school year.
- Lunchtime suspensions count as half a school day.

- A suspension cannot be extended. A further suspension, or a permanent exclusion, may follow only where new evidence or a further incident comes to light. Where this happens, the Headteacher will write to parents again explaining the reasons.

Education During a Suspension

- Work will be set from the first day of any suspension, in line with the Remote Learning Policy and adapted to the pupil's needs. Work will be marked and feedback given.
- For any suspension of more than five school days, the school will agree with the placing local authority how the provision in the pupil's EHCP will continue to be secured.
- A suspended pupil is recorded as code E (suspended or permanently excluded, no alternative provision made) in the attendance register, in line with the Pupil Registration Regulations 2024. Where alternative education is arranged, the appropriate code will be used.
- A pupil asked to complete remote learning while at home for behaviour reasons is suspended and this policy applies in full.

Informing Parents

The Headteacher will telephone parents as soon as a decision to suspend or permanently exclude has been made and will confirm the decision in writing (by letter or email) within one school day.

The written notification will set out:

- Whether this is a suspension or a permanent exclusion, and the length of any suspension, including the date and time the pupil should return
- The reasons for the decision
- How the pupil's special educational needs were taken into account
- The parent's right to make representations to the Proprietors, how to do so, and the deadline
- The parent's right to request a review by a Review Panel (for a permanent exclusion, or where suspensions total more than five school days in a term)
- How work will be set and returned during the suspension
- Arrangements for the reintegration meeting
- The parent's right to request a copy of their child's personal data held by the school, under UK GDPR
- The parent's legal duty that their child does not access public spaces during school hours in the first 5 days of the exclusion
- The parent's right, where they believe the decision is linked to their child's disability, to make a claim to the First-tier Tribunal (Special Educational Needs and Disability)
- Sources of independent advice (for example, the local SENDIASS service).

Letters will be written clearly and, where needed, provided in an accessible format. The school will offer to talk the letter through with parents.

Informing Others

Who	When	By Whom
The Proprietors	Within one school day of every suspension, permanent exclusion or safeguarding separation	Headteacher
Placing Local Authority (SEND caseworker and, where the placement contract requires, the contracts officer)	Within one school day of every suspension, permanent exclusion or safeguarding separation. For a permanent exclusion, the school will request an urgent review meeting.	Headteacher
Designated Safeguarding Lead	Before the decision is made	Headteacher
The Pupil's Social Worker (if applicable)	Within one school day, for a looked-after child, the social worker is informed on the day	Headteacher or DSL
Virtual School Head (for looked-after and previously looked-after children)	Within one school day	Headteacher or DSL
Local Authority Children Missing Education Team	When a pupil's name is removed from the roll following permanent exclusion	Attendance Officer
Staff Working with the Pupil	At the next staff briefing, on a need-to-know basis	Headteacher

Representations and Review

Making representations

Parents may make representations about any suspension or permanent exclusion to the Proprietors, in writing, via the school office. The Proprietors will consider all representations. A Proprietor who was involved in the decision will not take part in considering them.

Requesting a Review

Parents may request a review by a Review Panel of:

- A permanent exclusion
- A suspension, where the pupil has been suspended for more than five school days in total in a term.

A request should be made in writing to the Proprietors, via the school office, within 15 school days of the written notification. Requests received after this time will be considered where there are exceptional circumstances.

The Review Panel

- The Panel will be made up of at least three people who were not involved in the decision or the events leading to it.
- At least one member will be independent of the management and running of the school, and the school will seek for at least one member to have a background in SEND.
- Panel members may include a Proprietor who was not involved, and independent members from another school or with relevant professional experience.
- The Panel will meet as soon as practicable, and normally within 15 school days of receiving the request.
- All written information to be considered will be shared with all parties at least three school days before the meeting.
- Parents may attend with a friend, relative or advocate. Legal representation is not normally necessary, but the Panel may agree to it where appropriate.
- Reasonable adjustments will be made so that parents, and the pupil where appropriate, can take part fully. The pupil's views will be considered, in whatever way best suits them.
- A pupil's social worker may attend to support the pupil and represent their views.

The school will not be required to share confidential information about, or the identity of, other pupils or individuals who have given information. Statements may be anonymised where needed to protect others, while ensuring the process remains fair.

The Panel's Decision

The Panel will consider whether the decision was lawful, reasonable and procedurally fair, and whether the pupil's special educational needs were properly taken into account. The Panel may:

- Uphold the decision
- Direct that the pupil is reinstated (immediately or by a set date), or, where the pupil has already returned, that a note is placed on the pupil's record setting out the Panel's findings
- Make recommendations to the school.

The Panel will write to parents with its decision and reasons within five school days of the meeting and send a copy to the Proprietors and the placing local authority. The Panel's decision is final within the school's procedures.

Other Routes

Parents may also:

- Make a claim to the First-tier Tribunal (Special Educational Needs and Disability) if they believe the decision was discriminatory because of their child's disability (normally within six months of the decision)
- Raise concerns with the placing local authority
- Contact the Department for Education, which can consider whether the school has met the Independent School Standards.

Permanent Exclusion of a Pupil with an EHCP

For a pupil with an EHCP, permanent exclusion means the placing local authority must find a new placement. Except following an exceptional one-off incident, the school will request an early annual review of the EHCP before considering permanent exclusion, so that the pupil's needs and placement can be considered properly and planned with the local authority and parents.

Following a permanent exclusion, the pupil's name will remain on the school roll until any review has been concluded, or until 15 school days have passed without a review being requested. The pupil's name will then be removed in line with regulation 9 of the School Attendance (Pupil Registration) (England) Regulations 2024, and the local authority informed in line with the Attendance Policy.

Cancelling a Suspension or Permanent Exclusion

The Headteacher may cancel a suspension or permanent exclusion that has not yet been reviewed by the Proprietors or a Review Panel. Where this happens:

- Parents, the Proprietors and the placing local authority will be told without delay, along with any social worker
- Parents will be given the reason in writing and offered a meeting with the Headteacher
- The pupil will return to school, and any days already missed will be recorded as a suspension
- The Headteacher will report the number of cancellations to the Proprietors each term.

Reintegration

Returning to school after a suspension or safeguarding separation can be difficult for our pupils. Every pupil will have a planned return, which will include:

- A reintegration meeting with the pupil and their parents, on or before the day of return, at a time and in a way that suits the pupil
- Repair and Reflect, in line with the Behaviour Policy, once the pupil is regulated
- Updating the Pupil Risk Assessment, support plan and sensory profile, with input from the occupational therapist where relevant
- Agreeing any additional support, adjustments or referrals
- Briefing the staff who work with the pupil
- A review of how the return is going after two to four weeks.

A pupil will not be prevented from returning because a reintegration meeting has not yet taken place.

Recording, Monitoring and Oversight

- All suspensions, permanent exclusions and safeguarding separations, including the considerations and reasons recorded by the Headteacher, are recorded on BromCom. This forms the school's record of sanctions for serious misbehaviour.
- Each term, the Headteacher will report to the Proprietors on suspensions, permanent exclusions, safeguarding separations, cancellations, part-time timetables and pupils leaving the school roll.

- The Proprietors will review this data by site, type of need, looked-after status and protected characteristics, to identify patterns and any disproportionate impact, and will challenge and support leaders to act on findings.
- This analysis will be considered alongside the termly behaviour and physical intervention analysis set out in the Behaviour Policy and Physical Intervention Policy.

Confidentiality and Data Protection

Information about suspensions and exclusions will be handled sensitively and shared only with those who need it, including parents, the placing local authority, social workers and the DSL, in line with UK GDPR, the Data Protection Act 2018 and the school's Data Protection Policy. Records will be stored securely and retained in line with the school's retention schedule.

Training

Senior leaders, and anyone who may sit on a Review Panel, will receive training on this policy, the Equality Act 2010 and SEND law. All staff will be made aware that sending a pupil home for behaviour reasons outside this policy is not permitted.

Related Policies

This policy should be read alongside:

- Behaviour Policy
- Physical Intervention Policy
- Child Protection and Safeguarding Policy
- Anti-bullying Policy
- SEND Policy
- Attendance Policy
- Remote Learning Policy
- Complaints Policy
- Equality and Diversity Policy and Accessibility Plan
- Data Protection Policy

Monitoring and Review

This policy will be reviewed annually by the Headteacher and approved by the Proprietors, or sooner if there are changes to legislation or guidance.

Appendix 1: Headteacher Decision Checklist

Consideration	Completed / Notes
Incident investigated; staff (and pupil, where appropriate) statements gathered	
Decision reached on the balance of probabilities	
Pupil's views gathered using their usual communication method and recorded	
Link between the behaviour and the pupil's SEND, disability or medical condition considered	
Context and triggers considered (sensory, routine, staffing, home)	
EHCP provision, support plan, PBS Plan, sensory profile and Pupil Risk Assessment checked and followed	
Reasonable adjustments made, and any further adjustments considered	
Recent physical intervention / seclusion records reviewed	
Alternatives to suspension considered (and reasons not used)	
DSL consulted on safeguarding risk of time out of school	
Assistant Headteacher (Inclusion and SEND) consulted	
Placing local authority consulted (essential before any permanent exclusion)	
Social worker / Virtual School Head consulted (if applicable)	
Decision proportionate, and reasons recorded	
Parents telephoned; written notification sent within one school day	
Proprietors and placing local authority notified	

Consideration	Completed / Notes
Work set from day one; attendance coded E	
Reintegration meeting arranged	

Appendix 2: Key Timescales

Step	Timescale
Telephone call to parents	As soon as the decision is made
Written notification to parents	Within one school day
Notification to Proprietors and placing local authority	Within one school day
Work set for the pupil	From the first day of the suspension
Request for a Review Panel	Within 15 school days of written notification
Review Panel meeting	Normally within 15 school days of the request
Papers shared before the Panel meeting	At least 3 school days before
Panel decision to parents	Within 5 school days of the meeting
Reintegration review	2–4 weeks after return
Disability discrimination claim to the First-tier Tribunal (SEND)	Normally within 6 months of the decision