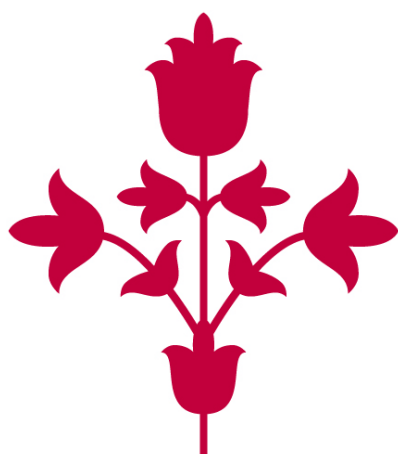




Earlscliffe



STATUTORY SCHOOL POLICY • 2026–27

Suspension and Expulsion Policy

Policy owner	Headteacher
Operational lead	Deputy Headteacher
Approved by	Headteacher / Governing Body
Date of review	September 2026
Next review	September 2027
Applies to	All Earlscliffe students, including boarders and day students

Important status note. The Department for Education statutory suspension and permanent exclusion framework applies to maintained schools, academies and pupil referral units, not to independent schools such as Earlscliffe. This policy therefore adopts the National College exemplar as a best-practice framework while tailoring decision-making, review and appeal arrangements to Earlscliffe's independent-school status, contractual arrangements, safeguarding duties and governance structure.

Contents

- Statement of intent
- 1. Legal framework and related policies
- 2. Definitions and scope
- 3. Roles and responsibilities
- 4. Grounds for suspension or expulsion
- 5. Decision-making authority and standard of proof
- 6. Factors to consider before suspension or expulsion
- 7. SEND, disability, vulnerability and reasonable adjustments
- 8. Safeguarding separation and precautionary arrangements
- 9. Alternatives to suspension or expulsion
- 10. Procedure for suspension
- 11. Procedure for permanent exclusion / expulsion
- 12. Boarding students and accommodation arrangements
- 13. Education during suspension and examinations
- 14. Reintegration following suspension
- 15. Parent, guardian and student notification
- 16. Review of suspensions
- 17. Appeal against permanent exclusion / expulsion
- 18. Remote review and appeal meetings
- 19. Criminal investigations and external agencies
- 20. Records, admissions register and data monitoring
- 21. Training, oversight and review
- Appendix A – Decision and review pathway
- Appendix B – Illustrative behaviours that may lead to suspension or expulsion

Statement of intent

Earlscliffe is committed to maintaining a safe, orderly and respectful environment in which every student can learn, develop and participate fully in school and boarding life. High standards of behaviour are an essential part of that commitment.

Suspension and permanent exclusion (referred to in this policy as “expulsion” where appropriate to Earlscliffe’s independent-school context) are serious sanctions. They will be used only where the Headteacher considers that the circumstances justify them, having regard to the seriousness and/or persistence of the behaviour, the impact on the education or welfare of others, the student’s individual circumstances, and the effectiveness of other available measures.

Decisions will be fair, evidence-based and proportionate. The School will consider the student’s account, any relevant mitigating or contextual factors, its duties under the Equality Act 2010, safeguarding considerations, SEND and mental health needs, and whether reasonable adjustments or additional support are required.

Earlscliffe will not use informal or unofficial exclusions. A student who is required to leave the school site, boarding accommodation or educational programme on disciplinary grounds will only do so through a clearly recorded process under this policy. Safeguarding separation is dealt with separately in section 8.

1. Legal framework and related policies

This policy has due regard, where applicable to Earlscliffe as an independent school in England, to relevant legislation and guidance including:

- Education Act 1996, where applicable;

- Education Act 2002, where applicable;
- Equality Act 2010;
- Human Rights Act 1998 and the European Convention on Human Rights, where applicable;
- Children Act 1989 and Children Act 2004;
- The Education (Independent School Standards) Regulations 2014, as amended;
- UK General Data Protection Regulation and Data Protection Act 2018;
- DfE, Keeping Children Safe in Education 2026;
- DfE, Behaviour in Schools, as current;
- DfE, Special educational needs and disability code of practice: 0 to 25 years, where relevant;
- DfE, Mental health and behaviour in schools, as current; and
- DfE, Suspension and Permanent Exclusion from maintained schools, academies and pupil referral units in England, including pupil movement, used by Earlscliffe as a source of best practice only because the statutory exclusion regime does not apply directly to independent schools.

This policy should be read alongside the School's:

- Behaviour Policy
- Student Code of Conduct
- Anti-Bullying Policy
- Special Educational Needs and Disabilities (SEND) Policy
- Child Protection and Safeguarding Policy
- Attendance Policy
- Admissions Policy
- Complaints Policy and Procedure
- Physical Intervention and Restraint Policy
- Boarding Principles and Practice / Boarding Handbook
- Parent Contract and Terms and Conditions, where applicable

2. Definitions and scope

Suspension

A suspension is the temporary removal of a student from normal school attendance on disciplinary grounds for a defined period. A suspension may be for part of a day or for one or more school days. Earlscliffe does not apply the statutory 45-day limit that governs maintained schools and academies as a legal limit; however, repeated or lengthy suspensions will trigger a formal review of whether suspension remains effective and whether additional support or a different response is required.

Permanent exclusion / expulsion

Permanent exclusion, also referred to as expulsion in Earlscliffe's contractual documentation, is the permanent termination of a student's place at the School on disciplinary grounds. It is reserved for serious or persistent breaches of the School's Behaviour Policy or Student Code of Conduct, or where the Headteacher reasonably concludes that allowing the student to remain would create an unacceptable risk to the education, safety or welfare of the student or others.

Safeguarding separation

A safeguarding separation is a temporary arrangement made primarily to manage a safeguarding risk rather than to punish behaviour. It is not recorded as a suspension or expulsion and is governed by section 8 of this policy and the Child Protection and Safeguarding Policy.

Required removal for non-disciplinary reasons

Where the School considers that it can no longer reasonably meet a student's educational, welfare, medical or other needs for reasons that are not disciplinary, this will not be presented as a suspension or expulsion. Any such matter will be managed separately under the School's admissions, SEND, safeguarding, contractual and complaints arrangements, with appropriate consideration of reasonable adjustments and equality duties.

3. Roles and responsibilities

The Governing Body

- provides oversight of the School's approach to behaviour, suspension and expulsion;
- receives anonymised or suitably limited termly data on suspensions and expulsions, including patterns, repeat cases and equality considerations;
- ensures that review and appeal arrangements are fair and that panel members have had no material prior involvement in the decision under review;
- monitors whether suspension and expulsion are being used consistently, proportionately and as measures of last resort where appropriate; and
- ensures that lessons arising from reviews, appeals and patterns of behaviour inform school improvement.

The Headteacher

- has final operational authority to impose a suspension or permanent exclusion / expulsion. If the Headteacher is absent, this authority may be exercised only by the Deputy Headteacher, formally appointed as Acting Headteacher;
- ensures that decisions are rational, reasonable, fair and proportionate and are based on the evidence available at the time;
- applies the civil standard of proof - the balance of probabilities - when determining disputed facts;
- considers the student's account and relevant contextual, safeguarding, SEND, disability and mental health factors;
- ensures that parents/guardians and, where appropriate, agents are notified promptly and in writing;
- ensures safe arrangements are in place before a student, particularly a boarder or student under 18, leaves the School's care; and
- reports suspension and expulsion data to governors.

The Deputy Headteacher and relevant senior staff

- investigate serious incidents and present evidence and recommendations to the Headteacher;
- ensure that records, witness accounts, CCTV or other evidence are handled lawfully and securely;
- coordinate reintegration, support plans and communication with boarding staff, tutors and teachers; and
- may impose other sanctions in accordance with the Behaviour Policy but may not permanently exclude a student unless formally acting as Headteacher.

All staff

- implement the Behaviour Policy consistently and record serious incidents accurately;
- raise safeguarding concerns immediately through the School's safeguarding procedures;
- avoid informal exclusions, including telling a student to remain away from School or boarding without formal authority; and
- provide relevant information to investigations and support reintegration plans.

4. Grounds for suspension or expulsion

A suspension or expulsion may be considered following a serious breach, or persistent breaches, of the Behaviour Policy or Student Code of Conduct. The behaviour may occur on school premises, in boarding accommodation, during school activities, while travelling to or from school, online, or outside school where there is a sufficient connection to the School, its community, safeguarding or reputation.

Examples are set out in Appendix B. The list is illustrative, not exhaustive, and the seriousness of an incident will be judged in context.

Permanent exclusion / expulsion will normally be reserved for:

- a serious single incident or breach;
- persistent or escalating breaches where previous interventions have not secured sufficient improvement; or
- circumstances in which the Headteacher reasonably concludes that the student's continued attendance would seriously prejudice the education, safety or welfare of the student or others.

A student will not be suspended or expelled simply because they have SEND or a disability that the School finds difficult to support, because of low academic attainment, because a parent has made a complaint, or because a student or parent has declined a voluntary managed move or equivalent arrangement.

5. Decision-making authority and standard of proof

The decision to suspend or permanently exclude / expel a student will be made by the Headteacher, or by a the Deputy Headteacher formally appointed as Acting Headteacher in the Headteacher's absence.

The decision will be made on the balance of probabilities: whether it is more likely than not that the relevant facts occurred. The School is not required to establish a criminal offence beyond reasonable doubt.

Where practical, the student will be told the substance of the concern and given a meaningful opportunity to provide their account before a final decision is made. The School may take immediate protective action before the investigation is complete where this is necessary to manage risk.

The Headteacher may reconsider or withdraw a suspension or expulsion decision where significant new evidence emerges or where the Headteacher concludes that the original decision should not stand. Any withdrawal will be recorded and communicated to the relevant parties.

6. Factors to consider before suspension or expulsion

Before reaching a decision, the Headteacher will consider, so far as relevant:

- all available evidence, including the student's account and any material witness evidence;
- whether the conduct was deliberate, reckless, impulsive or affected by circumstances that require further consideration;
- the seriousness of the actual or potential harm caused;
- the student's previous behaviour record and the pattern, frequency and escalation of concerns;
- any known or emerging SEND, disability, communication need, mental health need or medical condition;
- whether reasonable adjustments have been made or should be made;
- whether the student has experienced bullying, bereavement, exploitation, trauma, family difficulties or other relevant adversity;
- the age, maturity, cultural and linguistic context of the student, including whether English is an additional language;
- the impact on victims, witnesses, other students, staff and the wider school and boarding community;
- whether restorative work, increased supervision, behaviour support, risk management or other alternatives would be safe and effective; whether a repeated suspension is achieving its intended purpose; and
- any safeguarding advice or information from external agencies, where appropriate.

7. SEND, disability, vulnerability and reasonable adjustments

Earlscliffe recognises that behaviour may sometimes be linked to an unmet or unidentified need. The existence of SEND or a disability does not prevent the School from taking disciplinary action, but it must not discriminate and will consider whether the behaviour was connected to a disability, what reasonable adjustments are required, and whether additional support could reasonably reduce the risk of recurrence.

Where a student has an EHC plan, or where significant SEND is known or suspected, the SENCO will be consulted where practicable before a permanent exclusion / expulsion decision is finalised. For a student with an EHC plan, the School will consider whether an urgent review with the relevant local authority should be requested.

Where a student is looked after, has a social worker, is experiencing significant mental health difficulties, or is otherwise especially vulnerable, the DSL and relevant professionals will be consulted as appropriate. Safeguarding information will be shared on a need-to-know basis.

A graduated response is good practice, but the School is not required to exhaust every intervention before acting where there is an immediate or serious risk. A single grave incident may justify suspension or expulsion even where there has been no previous disciplinary history.

8. Safeguarding separation and precautionary arrangements

In exceptional circumstances, the School may temporarily separate a student from another student, from boarding accommodation, or from the school site where this is necessary primarily to manage a safeguarding risk while concerns are assessed. This is distinct from a disciplinary suspension.

Any such arrangement will:

- be authorised by the Headteacher or DSL, with the other informed as soon as practicable;
- be based on a documented risk assessment and reviewed regularly;
- be no more restrictive or longer than reasonably necessary;
- take account of the student's education, accommodation, supervision, welfare and contact with family;
- be communicated to parents/guardians as soon as reasonably practicable, subject to safeguarding or police advice; and
- involve external agencies where appropriate.

Where the concern subsequently becomes a disciplinary matter, any disciplinary decision will be made separately under this policy and will not be predetermined by the safeguarding separation.

9. Alternatives to suspension or expulsion

Depending on the nature and seriousness of the concern, alternatives may include:

- correction, detention or Deputy Headteacher reflection in accordance with the Behaviour Policy;
- restorative work or a mediated resolution where safe and appropriate;
- a behaviour contract, individual risk management plan or targeted pastoral support;
- enhanced supervision, changes to routines or temporary internal separation;
- reasonable adjustments and SEND intervention;
- counselling, mental health support or referral to external professionals;
- temporary changes to boarding arrangements;
- a time-limited alternative educational arrangement agreed with parents/guardians where appropriate; or
- a voluntary managed transition to another setting where this is genuinely in the student's best interests and is not used to avoid a formal disciplinary process. The School will not pressure a parent to withdraw a student in order to avoid recording or reviewing a suspension or expulsion.

10. Procedure for suspension

Where the Headteacher decides to suspend a student, the School will:

- record the decision, the reasons, start date/time and end date/time;
- notify the student and parent/guardian without undue delay and confirm the decision in writing;
- explain the behaviour that led to the suspension and any key evidence relied upon, subject to safeguarding, confidentiality and third-party rights;
- set out expectations during the suspension, including contact arrangements and work to be completed;
- make safe arrangements for the student to leave the School's care, including boarding arrangements under section 12;
- consider whether the student will miss a public examination or other critical assessment and make proportionate arrangements where possible;
- identify any immediate support, risk assessment or reintegration measures required before return; and
- record the suspension on the School's management information and pastoral systems.

Suspension will be for the shortest period reasonably necessary. Open-ended disciplinary suspensions will not be used.

11. Procedure for permanent exclusion / expulsion

Permanent exclusion / expulsion may be imposed only by the Headteacher (or formally appointed Acting Headteacher) following an investigation proportionate to the seriousness and complexity of the matter.

Before the decision is finalised, the Headteacher will normally:

- review the evidence and investigation record;
- consider the student's account and any response from the parent/guardian where time and circumstances permit;
- consider safeguarding, SEND, disability, equality and contextual factors;
- consider whether the sanction is proportionate and whether a lesser sanction could safely and reasonably address the concern; and
- consider the implications for examinations, accommodation, welfare and transfer of education and safeguarding information.

The decision will be confirmed in writing and will explain the principal reasons, the effective date, the right of appeal, the deadline for appeal, and the interim arrangements pending appeal where applicable.

Where an appeal is lodged in time, the expulsion decision remains effective unless the Headteacher or Chair of Governors determines that the student may remain or return under specified conditions while the appeal is pending. Boarding accommodation during the appeal period will be determined by risk assessment and section 12.

12. Boarding students and accommodation arrangements

Because Earlscliffe is a boarding school, suspension and expulsion decisions must address both education and accommodation. Where a boarding student is suspended, parents/guardians will normally be expected to arrange suitable alternative accommodation for the period of suspension. Where a student is permanently excluded / expelled and an appeal is pending, parents/guardians will normally be expected to make alternative accommodation arrangements unless the School expressly agrees otherwise.

For any student under 18, the School will not knowingly release the student into an unsafe or unsupervised situation. Before departure, the School will seek confirmation of the receiving adult, destination and travel arrangements. Where safe arrangements cannot immediately be made, the Headteacher and DSL will determine an interim safeguarding plan, which may include supervised separation from the normal boarding community.

The School may require a parent, guardian or authorised adult to collect the student, or may approve travel arrangements consistent with the student's age, legal status and safeguarding needs. Costs associated with emergency accommodation or travel will be dealt with in accordance with the Parent Contract and any applicable school terms.

13. Education during suspension and examinations

During suspension, the School will take reasonable steps to enable the student to continue learning. This may include work set electronically, remote contact with teachers, supervised independent study or another temporary educational arrangement. The precise provision will depend on the duration of suspension, the student's programme and the circumstances of the case.

Where a suspension or expulsion overlaps with a public examination, controlled assessment or other significant academic requirement, the Headteacher will consider whether the student can safely and appropriately sit the assessment at Earlscliffe under specific arrangements or whether an alternative arrangement should be explored with the examinations officer and awarding body. The safety and welfare of all parties remains paramount.

14. Reintegration following suspension

A reintegration meeting or conversation will normally take place before or promptly after the student returns. Its purpose is not to re-run the disciplinary decision but to support a successful return and reduce the likelihood of recurrence.

The reintegration process may address:

- what the student understands about the incident and its impact;
- restoration of relationships where appropriate;
- clear expectations and any behaviour targets;
- academic work missed during suspension;
- pastoral, SEND or mental health support;
- boarding routines, rooming or supervision arrangements;
- risk management measures; and
- a review date and consequences of further serious breaches.

A student will not be prevented from returning solely because a parent or guardian is unable or unwilling to attend a reintegration meeting, although the School will continue to seek parental engagement.

15. Parent, guardian and student notification

Written notification of a suspension or expulsion will normally include:

- whether the decision is a suspension or permanent exclusion / expulsion;
- the effective date and, for a suspension, the date and time of return;
- a concise description of the behaviour and the reasons for the decision;
- any education, supervision, accommodation and travel arrangements;
- expectations during the period away from School;
- the relevant review or appeal route and deadline;
- a contact point for questions; and
- where appropriate, information about examination arrangements, safeguarding support or the transfer of records.

For students aged 18 or over, communication will be handled in accordance with the student's legal status, the Parent Contract, data protection requirements and safeguarding considerations. The School may still communicate with parents/guardians where there is a lawful basis or where the student has agreed.

16. Review of suspensions

Parents/guardians, and students aged 18 or over, may make written representations about any suspension. Representations should normally be made within five working days of written notification.

For a suspension of five school days or fewer, the Headteacher will consider any new evidence or allegation of procedural unfairness and will respond in writing. The fact that the suspension has already been served does not prevent the School from recording the outcome of the review.

For a suspension exceeding five school days, or one that would cause a student to miss a public examination, the parent/guardian or student may request a review by the Chair of Governors or another governor who has had no prior material involvement. The reviewer may uphold the suspension, reduce or cancel any remaining period, or require the Headteacher to reconsider the decision in light of specified concerns. The reviewer will not increase the sanction.

A suspension review is an internal safeguard and does not import the statutory maintained-school exclusion review regime into Earlscliffe.

17. Appeal against permanent exclusion / expulsion

A parent/guardian, or a student aged 18 or over, may appeal a permanent exclusion / expulsion. The appeal must be submitted in writing to the Chair of Governors within seven calendar days of the written decision unless exceptional circumstances justify accepting a late appeal.

The appeal should identify the grounds relied upon, which may include disputed facts, procedural unfairness, disproportionality, discrimination, failure to consider relevant evidence, or significant new evidence.

The appeal will be heard by a panel appointed by or on behalf of the Governing Body. The panel will normally consist of at least three people who have not been directly involved in the incident or the original decision. Wherever practicable, at least one member will be independent of the management and running of Earlscliffe.

The parent/guardian and student will be entitled to:

- receive the main papers to be considered by the panel in reasonable time before the hearing, subject to lawful redactions;
- make written representations;
- attend the hearing and make oral representations;
- be accompanied by a friend, adviser or representative; and
- request reasonable adjustments to enable effective participation.

The Headteacher, or a senior representative, may attend to explain the decision. The panel may ask questions of all parties and may seek additional information where fairness requires it.

The panel will consider whether the decision was supported by the evidence, procedurally fair, proportionate and consistent with the School's duties and policies. The panel may:

- uphold the expulsion;
- overturn the expulsion and direct reinstatement on a specified date; or
- set aside the decision and require the Headteacher to reconsider it in light of the panel's findings.

The panel's decision and reasons will be confirmed in writing as soon as reasonably practicable, normally within three working days of the hearing. The decision will be final under this policy, without prejudice to any separate legal rights or external remedies available to the parties.

18. Remote review and appeal meetings

A review or appeal meeting may be held remotely where this is requested or agreed and the Chair is satisfied that the meeting can be conducted fairly and transparently. Participants must be able to hear and, where reasonably practicable, see one another, access the relevant papers and make representations effectively.

If technological difficulties materially compromise fairness and cannot promptly be resolved, the meeting will be adjourned and rearranged.

19. Criminal investigations and external agencies

The existence of a police investigation or criminal proceedings does not automatically prevent the School from reaching a disciplinary decision. The School will make its own decision on the evidence reasonably available to it, using the balance of probabilities, while taking care not to prejudice an external investigation.

Where evidence is restricted because of police or safeguarding advice, the Headteacher will consider whether a fair decision can still be made and whether temporary safeguarding or risk-management arrangements are required.

The School may liaise with the police, children's social care, a local authority, an educational psychologist, health professionals, a student's guardian or other relevant agencies where lawful and appropriate.

20. Records, admissions register and data monitoring

All suspensions and expulsions will be recorded accurately on the School's management information and pastoral systems. Records will include the reason, duration, decision-maker, notifications, educational arrangements, review or appeal outcome and relevant reintegration or transfer information.

Removal from the admissions register following permanent exclusion / expulsion will be carried out in accordance with the School's legal obligations as an independent school, the Parent Contract and any applicable registration requirements. Where an appeal is lodged, the School will normally defer final administrative removal until the appeal has been determined unless the law or contractual arrangements require otherwise.

The Headteacher will provide governors with termly data sufficient to evaluate:

- numbers and duration of suspensions;
- repeat suspensions;
- permanent exclusions / expulsions;
- patterns by year group, boarding house or other relevant operational category;
- SEND, disability, safeguarding and equality considerations, presented in a manner that protects confidentiality;
- the effectiveness of interventions and reintegration; and
- any evidence of inconsistent practice, disproportionality or emerging risk.

The School will use this information to improve practice, not to create numerical targets for suspension or expulsion.

21. Training, oversight and review

Relevant leaders and governors will receive appropriate training or briefing on disciplinary decision-making, procedural fairness, safeguarding, SEND, equality and the School's review and appeal arrangements.

This policy will be reviewed at least annually and sooner where there is a significant change in legislation, guidance, school structure or identified practice. The Headteacher is responsible for ensuring that staff understand the policy and that it operates consistently with the Behaviour Policy and Child Protection and Safeguarding Policy.

Appendix A Decision and review pathway

Stage	Key action	Outcome / next step
1. Incident / concern	Immediate safety action; record and investigate; consider safeguarding route.	If disciplinary threshold is met, evidence is presented to the Headteacher.
2. Headteacher decision	Consider evidence, student account, proportionality, SEND/equality/safeguarding and alternatives.	No formal sanction, other sanction, suspension, or permanent exclusion / expulsion.
3. Written notification	Confirm reason, duration/effective date, education/boarding arrangements and review/appeal rights.	Student/parent receives clear next steps.
4A. Suspension review	Representations within 5 working days; longer suspensions or missed exams may be reviewed by an uninvolved governor.	Uphold, reduce/cancel remaining period, or remit for reconsideration.
4B. Expulsion appeal	Written appeal to Chair of Governors within 7 calendar days.	Panel of at least 3 uninvolved members; normally one independent of management.
5. Final outcome	Panel confirms reasons in writing.	Uphold, reinstate, or remit for Headteacher reconsideration; records and transition arrangements updated.

Appendix B Illustrative behaviours that may lead to suspension or expulsion

Depending on seriousness, context and evidence, examples include:

- physical assault or threatened serious violence against a student or adult;
- possession, use or threatened use of a weapon or other dangerous prohibited item;
- sexual violence, sexual harassment or other serious harmful sexual behaviour;
- serious or persistent bullying, including cyberbullying;
- racist, religious, sexist, homophobic, biphobic, transphobic, ableist or other discriminatory abuse;
- serious verbal abuse, intimidation, coercion or threatening behaviour;
- possession, use, supply or facilitation of illegal drugs or other prohibited substances;
- serious misuse of alcohol or substances where safety or welfare is significantly affected;
- serious theft, fraud, extortion, deliberate damage or arson;
- harmful recording, sharing or publication of images or material, including intimate or humiliating content;
- serious misuse of technology, online platforms or artificial intelligence causing harm or substantial disruption;
- persistent refusal to comply with reasonable instructions where this forms part of a serious or escalating pattern;
- persistent disruption or breach of school/boarding rules despite appropriate intervention;
- conduct outside school that creates a serious safeguarding risk, materially affects another member of the school community, or brings the School into serious disrepute; and
- any other conduct which, in the Headteacher's judgement, amounts to a serious or persistent breach of the Behaviour Policy or Student Code of Conduct.

Nothing in this appendix requires the School to impose a particular sanction for a listed behaviour. Each case will be decided on its own facts and circumstances.