Mayfield House School

Suspension and Exclusion Policy

Signed by:

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Statement of intent

Mayfield House School recognises that suspension or exclusion may sometimes be necessary to maintain safety, order, and an environment where pupils can learn effectively. These measures are used only as a last resort. Decisions will be fair, lawful, transparent, and proportionate.

A **"suspension"** is defined as the temporary removal of a pupil from the school for behaviour management purposes. A suspension means a time-limited disciplinary decision that a pupil does not attend the school. The headteacher will specify the precise dates or sessions, suitable learning arrangements and a return plan. This independent school is not subject to the statutory 45-school-day annual limit that applies to maintained schools, academies and pupil referral units; the headteacher will nevertheless review cumulative time out of school and educational impact.

An **"exclusion"** is defined as the permanent removal of a pupil from the school, in response to a serious breach or persistent breaches of the school's **Behaviour Policy**, and where allowing the pupil to remain in school would seriously harm the education or welfare of the pupils or staff in the school.

1. Legal framework

This policy has due regard to all relevant legislation including, but not limited to, the following:

- Education Act 2002
- Children and Families Act 2014
- The Education (Independent School Standards) Regulations 2014
- Human Rights Act 1998
- Equality Act 2010

This policy also has due regard to statutory and non-statutory guidance, including, but not limited to, the following:

- DfE (2024) 'Behaviour in Schools'
- DfE (2015) 'Special educational needs and disability code of practice: 0 to 25 years'
- DfE (2018) 'Mental health and behaviour in schools'

As an independent special school, Mayfield House School must meet the Education (Independent School Standards) Regulations 2014, including the standards relating to safeguarding, behaviour, admission and attendance registers, and complaints. The Department for Education's July 2026 statutory suspension and permanent exclusion guidance applies to maintained schools, academies and pupil referral units; its 45-school-day limit, day-six education duty and prescribed governing-board and independent-review-panel procedures do not automatically apply to Mayfield House School. This policy sets out the school's own decision and review arrangements.

This policy operates in conjunction with the following school policies:

- Behaviour Policy
- Anti-bullying Policy
- Pupil Code of Conduct
- Special Educational Needs and Disabilities (SEND) Policy
- Social, Emotional and Mental Health (SEMH) Policy
- Child Protection and Safeguarding Policy

2. Roles and responsibilities

The directors are responsible for:

- Ensuring that decisions on suspension or exclusions are fair, proportionate, and consistent.
- Appointing a director not involved in the original decision to review proposed permanent exclusions and parental representations; if both directors have been materially involved, appointing an impartial reviewer to advise.
- Monitoring data on suspensions and exclusions.
- Reviewing this policy annually.

The headteacher is responsible for:

- Deciding whether to suspend or exclude a pupil.

- Ensuring that decisions are lawful, reasonable, and proportionate.
- Notifying parents, directors, and (where relevant) the placing local authority, social worker, or VSH.

3. Grounds for suspension or exclusion

The headteacher may consider suspension or permanent exclusion following a serious incident or repeated serious breaches of the Behaviour Policy. The headteacher will decide the appropriate response in each case, taking account of the risk, the pupil's needs and the support already provided. The following are examples of behaviour that may lead to suspension or permanent exclusion; they do not automatically result in either sanction:

- Physical assault against a pupil or adult.
- Verbal abuse or threatening behaviour
- Use, or threat of use, of an offensive weapon or prohibited item.
- Bullying.
- Discriminatory abuse, e.g. racist, homophobic, biphobic, transphobic or ableist abuse.
- Behaviour outside school that seriously harms the reputation or welfare of the school community.
- Repeatedly accessing a prohibited or hazardous area, such as a school roof, where this creates a serious risk of harm, despite clear safety instructions and appropriate individual support.

4. The headteacher's power to suspend and exclude

Only the headteacher has the power to suspend or exclude a pupil from the school, and is able to decide whether either a suspension or exclusion is appropriate. All suspensions and exclusions will only be issued on disciplinary grounds.

Any decision made to suspend or exclude a pupil will be lawful, proportionate and fair, with respect to legislation relating directly to suspensions and exclusions and the school's wider legal duties, including the ECHR. At all times, the headteacher will take into account their legal duties under the Equality Act 2010 and the 'Special educational needs and disability code of practice: 0 to 25 years', ensuring that they do not discriminate on any grounds and will not increase the severity of a pupil's suspension or exclusion on these grounds.

There will be no informal exclusion or sending a pupil home to "cool off"; any short period away from a lesson remains supervised within school; and a reduced timetable must be exceptional, agreed, time-limited and reviewed.

All suspensions and exclusions will be formally recorded on the school's Pupil's file.

5. Factors to consider

When considering the suspension or exclusion of a pupil, the headteacher will:

- Consider the pupil's age, EHC plan, communication needs, disability, mental health, trauma, bullying, bereavement and any known triggers, alongside the safety of pupils and staff.
- Consider and record reasonable adjustments, support already tried, and whether further support or an early EHC plan review with the local authority could reduce the risk.
- Record why the decision is proportionate and complies with the Equality Act 2010.

The headteacher will consider what extra support may be available for vulnerable pupil groups whose suspension and exclusion rates are higher, to reduce their risk of suspension or exclusion, including the following:

- CLA
- Pupils with SEND
- Certain ethnic groups

6. Early help and preventative measures

Where possible, the school will use supportive strategies to avoid exclusions, such as:

- Behaviour support plans
- Pastoral or therapeutic input
- Temporary adjustments agreed with parents/carers and the local authority.
- Additional assessments for pupils with persistent difficulties.

7. Duty to inform the parents

Following a decision to suspend or permanently exclude a pupil, the headteacher will contact the parents as soon as practicable, normally by telephone or in person, and follow this with written notification normally on the same school day. The pupil will be given an explanation suited to their age and communication needs. If the decision takes immediate effect, the school will make safe arrangements for the pupil to leave.

The written notification will state:

- The reasons for the suspension or exclusion.
- The length of the suspension or permanency of the exclusion.
- The arrangements for suitable work, welfare contact and return to school during a suspension, or for liaison about education and transition following permanent exclusion.
- How the parents and pupil may make representations to a director who was not involved in the original decision, and how to use the school's Complaints Policy.
- How the school will involve the placing local authority and the authority responsible for any EHC plan, where applicable.

8. Duty to inform the directors and LA

The headteacher will inform both directors without delay of every permanent exclusion, any serious or repeated suspension, and any suspension or exclusion that would affect a public examination or assessment. This is Mayfield House School's internal reporting requirement; the statutory notification thresholds for governing boards of maintained schools and academies do not apply to this independent school.

The headteacher will promptly inform the pupil's placing local authority of a suspension or permanent exclusion and will also contact the authority responsible for the pupil's EHC plan if this is a different authority. The school will comply with relevant placement-agreement notification requirements. Any required notification when a pupil is removed from the

admission register will be made separately under the School Attendance (Pupil Registration) (England) Regulations 2024.

9. Duty to inform social workers and the virtual school head (VSH)

When a pupil has been suspended or excluded, the headteacher will notify the pupil's social worker without delay, if they have one, and the VSH, if they are a looked-after child. This notification will include the period of any suspension and the reasons for suspension or permanent exclusion.

10. Education during suspension and exclusion

During suspension, Mayfield House School will provide appropriate work to complete at home.

For a lengthy or repeated suspension, the headteacher and directors will review the effect on the pupil's education and work with the placing local authority to consider how suitable education will continue. The statutory requirement for education to begin by the sixth school day under the DfE exclusion guidance for maintained schools, academies and pupil referral units does not automatically apply to Mayfield House School.

For looked-after children (CLA) the school will work with the placing authority and Virtual School Head (VSH) to ensure that appropriate provision is in place from Day 1 of any suspension or permanent exclusion, recognising their heightened vulnerability.

Following a decision to permanently exclude a pupil, the school will promptly inform the placing local authority and the authority responsible for the pupil's EHC plan. It will share relevant education and safeguarding information securely and cooperate with arrangements for suitable education and a supported transition. Any interim education or support to be provided by the school will be agreed with the authority and family, taking account of the pupil's needs, safety and the placement agreement.

11. Considering suspensions and exclusions

A director who was not involved in the headteacher's original decision will review a proposed permanent exclusion. Parents may normally submit written or oral representations within five school days of being notified, and the pupil will have an opportunity to give their views in a way they can access. The reviewer will consider the evidence, the pupil's needs, reasonable adjustments, the safety of others, support already tried and whether a lesser response could manage the risk. If both directors were materially involved in the original decision, the proprietors will obtain advice from an impartial reviewer with appropriate SEND and safeguarding knowledge.

12. Reaching a decision

The reviewing director will normally provide a reasoned written decision within ten school days of receiving representations. If more time is needed, the school will explain why and give a revised date. The reviewer may:

- Uphold the permanent exclusion.
- Require further inquiries or reconsideration before reaching a decision.

- Withdraw the permanent exclusion or change it to a time-limited suspension with a safe return plan.

13. Notification of considered suspensions and exclusions

The written review outcome will be sent promptly to the parents, headteacher and relevant local authority. It will explain the reasons for the decision and the next steps. The school will check any consequences under the parental contract and placement agreement before confirming them.

In the case of permanent exclusion, parents will be told:

- That the school has upheld the permanent exclusion and the date from which it takes effect.
- How to use the school's Complaints Policy, including its independent panel stage.
- That concerns about EHC plan provision or placement should also be raised with the local authority responsible for the plan, and that appeal rights may arise from an appealable decision by that authority.
- That parents may seek advice about a discrimination claim through the appropriate court or tribunal.

14. Removing permanently excluded pupils from the school register

A pupil's name will be removed from the admission register only when a ground for deletion under regulation 9 of the School Attendance (Pupil Registration) (England) Regulations 2024 has been fully met. Following permanent exclusion, the school will check whether regulation 9(1)(o) applies and complete its published review process before removing the pupil. Other departures from an independent school may fall under a different regulation 9 ground; the school will record the ground that matches the actual circumstances. For a pupil of compulsory school age registered at a special school under local authority arrangements, the school will check the additional requirements and exceptions in regulation 9(2). It will liaise with the local authority, make the required deletion return under regulation 13, and maintain accurate attendance records until the lawful date of removal. A pupil will not be removed retrospectively.

15. Appeals and complaints

Parents may challenge a decision through the school's published Complaints Policy, which includes an independent panel stage. This is the complaints procedure for Mayfield House School as an independent school; it is not the statutory independent review panel process for maintained schools and academies. Parents with concerns about an EHC plan or the provision or placement specified in it should also contact the local authority responsible for the plan and may have a right of appeal against a decision made by that authority. A disability discrimination claim concerning a school may be brought in the First-tier Tribunal (SEND); other discrimination claims have different legal routes. The school will signpost parents appropriately.

16. Monitoring and review

The directors will review suspension and exclusion records at least termly. They will consider the reasons for decisions, repeated use, duration, patterns affecting pupils with SEND or protected characteristics, the education provided during suspension, reintegration, parental representations and any indication that a pupil has been prevented from attending normally or removed from roll in the school's interests. They will record their questions, conclusions and any action required.

This policy will be reviewed **annually** by the headteacher in conjunction with the directors. The next scheduled review date for this policy is **August 2027.**

All members of staff will be required to familiarise themselves with this policy as part of their induction programme.