

Lancashire Virtual School Guidance on Suspension and Permanent Exclusion

The Virtual School at Lancashire County Council adheres to the statutory DfE guidance, [*Suspension and permanent exclusion from maintained schools, academies and pupil referral units in England, including pupil movement*](#), effective from 26 July 2026. Lancashire Virtual School acknowledges and supports this statutory guidance and will work with school leaders to ensure that it is enacted in full. The guidance makes clear that “exclusion” refers to disciplinary suspension or permanent exclusion. Any time a child who is looked after is required to leave school, is not allowed to attend school for disciplinary reasons, or is sent home to “cool off”, this must be treated as a suspension or permanent exclusion and must comply with the relevant School Discipline Regulations. Informal exclusions, unlawful off-rolling, inappropriate part-time timetables used to manage behaviour, or arrangements that prevent a pupil from receiving full-time education must not be used.

It is the responsibility of the Virtual School and the Virtual School Headteacher to maintain oversight of, and significant interest in, the education of children who are in the care of the Local Authority. Where a looked-after child is at risk of suspension, permanent exclusion, off-site direction, managed move or safeguarding separation, the Designated Teacher should contact the Virtual School as early as possible by communicating with the Education Consultant linked to the child. The Virtual School, working with the Designated Teacher and others, should consider what additional assessment, review and support are required to address the factors affecting the child’s behaviour and reduce the need for exclusion. Where relevant, the school should engage with the child’s social worker, foster carers, children’s home workers, SENCO, safeguarding lead and other professionals. Formal written notification of each suspension or permanent exclusion must be sent promptly to parents or carers and should also be shared with the child’s social worker and Education Consultant so that support can be coordinated without drift.

In line with the 2026 guidance, and to ensure continuity of education, headteachers must take steps to ensure that work is set and marked for pupils during the first five school days of a suspension. From the sixth school day, suitable full-time education must be arranged. Schools should work with the local authority, Virtual School and carers to consider transport, access to provision and the child’s individual needs. Suspension and permanent exclusion should be used only where lawful, reasonable, fair and proportionate. Permanent exclusion must remain a last resort. For children looked after, schools must consider trauma, attachment, SEND, equality duties, safeguarding, attendance, unmet needs and the impact of lost education before

deciding to suspend or permanently exclude. Headteachers should balance the need for calm and safe environments with the duty to safeguard, educate and promote the welfare of the child.

The guidance states that permanent exclusion of a CLA is to be avoided if at all possible. It is for this reason that schools should make early contact with the Virtual School if a child's behaviour and engagement put them at risk of exclusion. Schools should also exhaust all other elements of support available to them through the LA and should complete paperwork to inform the relevant panel that the CLA is at risk of PEx. Schools should also be open to working with the Virtual School to find alternatives to permanent exclusion while keeping the child on roll. Please also see the accompanying guidance on Direction Off-Site and Managed Moves.

Off-site direction, managed moves and pupil movement: The 2026 guidance strengthens the statutory expectations around pupil movement. Off-site direction must be used only where it is intended to improve a pupil's behaviour, must be time-limited, kept under review and supported by clear written information about the objectives, placement, timings, review arrangements and contact between settings. The pupil's views must be sought and taken into account. Managed moves must be voluntary, permanent from the outset and compliant with the School Admissions Code; trial managed moves must not be used. A pupil must not be suspended or permanently excluded because they or their carer declines a managed move. For children looked after, any contemplated off-site direction or managed move must involve early discussion with the Virtual School and the child's social worker, and the PEP should be reviewed so that education, support, Pupil Premium Plus and transition arrangements are clear.

Separation for safeguarding purposes: In rare circumstances, a school may need temporarily to separate pupils for safeguarding reasons, for example where an allegation of harm requires pupils to be kept apart. This is not a disciplinary exclusion and must not be used as a behaviour sanction. It should be used only where separation is essential and cannot practicably be achieved while the pupil remains on the school site. Parents or carers, the governing board, the designated safeguarding lead, the social worker and the Virtual School should be informed promptly where this affects a child looked after. Education must continue, safeguarding plans must be clear, and reintegration should be planned from the outset.

Reintegration following suspension, off-site direction or safeguarding separation: Reintegration should be planned as soon as possible and should include the pupil, carer, social worker, Designated Teacher, Virtual School Education Consultant and any relevant SEND, safeguarding or behaviour professionals. A part-time timetable must not be used as a behaviour management tool and, where used for any lawful reason, must be time-limited, regularly reviewed and lead back to full-

time education. The reintegration plan should identify support, reasonable adjustments, relational approaches, safety planning, review dates and how the pupil's voice has shaped the plan.

If a child who is in the care of the Local Authority is suspended or permanently excluded, you can expect an appropriate level of challenge from your Education Consultant and, when appropriate, the Virtual School Headteacher. Below are some examples of questions we may ask that we will expect school staff to be able to answer. The questions provided are illustrative and do not represent an exhaustive list.

<u>Checklist</u>		
Have termly PEPs been completed for the last 3 terms? - Were the targets set for the pupil SMART targets? - Was the child supported to achieve the targets?	Yes	No
Did you highlight behaviour concerns to your Education Consultant when they first became apparent, and have you kept them informed of ongoing concerns? * Have the child's views been sought, recorded and taken into account before any suspension, permanent exclusion, off-site direction or managed move?	Yes	No
Has advice been sought from the LA's behaviour team and this advice enacted for the child? If off-site direction is being considered, is there a written plan setting out the objectives, placement, timings, review arrangements, contact arrangements and reintegration plan?	Yes	No
Is there evidence that analysis of behavioural triggers has taken place over a period of time and has informed interactions with this child? *	Yes	No
Is there evidence that, despite implementation of strategies, concerns still prevail? If a managed move is being considered, has it been confirmed as voluntary, permanent from the outset, compliant with admissions requirements and agreed with the carer, social worker and Virtual School?	Yes	No
If the SDQ on the PEP is 16+ can it be demonstrated that action has been taken to address this	Yes	No
Can it be demonstrated that the PPG+ funding has been used effectively in the last 12 months, targeted to improve academic engagement or pastoral support? *	Yes	No

Is there evidence that discussion with the SENCO has taken place and has informed consequent strategies, targets and outcomes?		Yes	No
SEN children only	Do we need to escalate support for this child?	Yes	No
	Can we demonstrate that the nominal £6000 SEN funding has been spent meeting this child's needs? *	Yes	No
	Is there any additional funding available to support this child's needs?	Yes	No
	Is there robust evidence of implemented & reviewed cycles of APDR? *	Yes	No
Has an Assistant EP (paid for by the VS) been arranged and recommendations implemented?		Yes	No
Has this child been raised with the EP through conversation, group consultation or individual consultation? *		Yes	No
Has a personalised behaviour support plan been put into place for the child with realistic targets and regular (fortnightly) opportunities for review with caregivers, pupil and staff?		Yes	No
Has the person with PR been informed of any concerns and given the opportunity to share their views and wishes? *		Yes	No
Has the child been given opportunity to share their views and had those views taken into account? *		Yes	No
Is this child working at expected level for their age?		Yes	No
Has this child made sufficient progress since the last progress point?		Yes	No
Are there any safeguarding concerns?		Yes	No
Are there any CCE/CSE concerns?		Yes	No
Are there any attendance concerns?		Yes	No
Is the attendance team involved?		Yes	No
Have the school undertaken specific trauma-informed training? - Is the implementation of this tracked and monitored?		Yes	No
<u>If you have answered 'no' to any of the * questions, please use this space to add additional contextual information</u>			

In the case of permanent exclusion of a looked-after learner, the school can expect a member of the Virtual School to attend the governing board meeting and, where appropriate, any Independent Review Panel. We will expect to see clear evidence that preventative, proactive and graduated support has been implemented and reviewed over time; that the pupil's views, carer views and professional advice have been considered; that equality and SEND duties have been met; and that any alternatives such as additional support, off-site direction or a lawful managed move have been properly explored. If support has not been exhausted, the decision is not proportionate, or procedural errors are identified, Lancashire Virtual School reserves the right to request an Independent Review Panel.

If a child has a social worker because they are Child in Need or Child Protection or if a child is in Kinship Care or previously looked after, advice about supporting their behaviour should be sought by contacting the Virtual School at kinshipcareandPLAC@lancashire.gov.uk