



Mary Hare Policy: SCH019

Suspension & Permanent Exclusion Policy

Policy Owner: Robin Askew

Date Approved: Autumn 2026

Approved by: Board of Governors

Next review date: Autumn 2028



Securing the future of deaf children and young people

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Aims

1. Mary Hare School is a Non-Maintained Special School. In developing this policy, the school has had regard to the Department for Education's guidance on suspension and permanent exclusion for maintained schools, academies and pupil referral units. Whilst parts of that statutory framework do not apply directly to Non-Maintained Special Schools, the School adopts equivalent principles of fairness, transparency and procedural consistency.
2. We aim to ensure:
 - The exclusions process is applied fairly and consistently
 - The exclusions process is understood by governors, staff, parents/carers and pupils
 - Pupils in school are safe and happy
 - Pupils do not become NEET (not in education, employment or training)
 - Ensure all suspensions and exclusions are carried out lawfully

Legislation and Statutory Guidance

3. This policy is based on statutory guidance from the Department for Education: [Suspension and permanent exclusion from maintained schools, academies and pupil referral units in England, including pupil movement](#) (July 2026)
4. It is based on the following legislation, which outlines schools' powers to exclude pupils:
 - Section 51a of the Education Act 2002, as amended by the Education Act 2011
 - The School Discipline (Pupil Exclusions and Reviews) (England) Regulations 2012
5. In addition, this policy is based on:
 - Part 7, chapter 2 of the Education and Inspections Act 2006, which sets out parental responsibility for excluded pupils
 - Section 579 of the Education Act 1996, which defines 'school day'
 - The Education (Provision of Full-Time Education for Excluded Pupils) (England) Regulations 2007, as amended by The Education (Provision of Full-Time Education for Excluded Pupils) (England) (Amendment) Regulations 2014
 - The Equality Act 2010
 - Children and Families Act 2014
 - The school Inspection Handbook which defines 'off rolling'

Definitions

6. Terminology

Suspension – when a pupil is removed from the school for a fixed period. This was previously referred to as a 'Fixed-term Exclusion'.

Permanent exclusion – when a pupil is removed from the school permanently and taken off the school roll. This is sometimes referred to as an 'exclusion'.

Parent /carer– any person who has parental responsibility and any person who has care of the child.

Managed move – when a pupil is transferred to another school permanently. All parties, including parents and the admission authority for the new school, should consent before a managed move occurs.

School day - any day on which there is a school session. Therefore, INSET or staff training days do not count as a school day.

Governors' Discipline Committee – a committee formed of three Governors representing the Full Governing Board.

Off-rolling - the practice of removing a student from the school roll without a formal, permanent exclusion or by encouraging a parent/carers to remove their child from the school roll, when the removal is primarily in the interests of the school rather than in the best interests of the student.

The Decision to Suspend or Exclude

7. Only the Principal, or a person acting with the Principal's authority, can suspend or permanently exclude a pupil from school and this decision may only be made on disciplinary grounds. The decision can be made in respect of behaviour inside or outside of school.
8. If a pupil is at risk of suspension or exclusion through repeated breaches of behavioural expectations, the Principal, or person acting with the Principal's authority will inform the parents/carers/pupil (if over 18) as early as possible, in order to work together to consider what factors may be affecting the pupil's behaviour, and what further support can be put in place to improve the behaviour.
9. A decision to suspend a pupil will be taken:
 - In accordance with the school's behaviour policy
 - To provide a clear signal of what is unacceptable behaviour
 - To show a pupil that their current behaviour is putting them at risk of permanent exclusion
10. Due to nature of suspensions, they can be without notice. Sometimes a suspension can take place a few days after an incident whilst it following it being investigated.
11. Where suspensions have become a regular occurrence, the Principal will consider whether suspensions alone are an effective sanction and whether additional strategies need to be put in place to address behaviour issues
12. Where the School Believes it Can No Longer Meet Need. Where concerns about the suitability of a placement arise, these will not be treated as disciplinary concerns unless there has also been a breach of the School's Behaviour Policy. The School will ensure that processes relating to placement suitability and disciplinary exclusion remain clearly distinct.
13. A decision to permanently exclude a pupil will only be taken by the Principal and will be taken as a last resort.
14. A decision to permanently exclude a pupil will be taken:
 - In response to a serious breach or persistent breaches of the school's behaviour policy, and
 - If allowing the pupil to remain in school would seriously harm the education or welfare of the pupil or others.
15. Before deciding whether to suspend or exclude a pupil the Principal will:

- Consider all the relevant facts and evidence, using the civil standard of proof (i.e. it is more likely than not that it did happen, “on the balance of probabilities” rather than “beyond reasonable doubt”) including whether the incident(s) leading to the exclusion were provoked
 - Allow the pupil to give their version of events, considering these in light of their age and understanding, before deciding to suspend or exclude, unless it is not appropriate to do so.
 - Consider the special educational needs (SEND) of the pupil
 - Consider whether the pupil is especially vulnerable (e.g. the pupil has a social worker, or is a looked-after child (LAC) or previously looked after child)
 - Consider whether all alternative solutions have been explored such as (for suspensions) other sanctions provided for in the behaviour policy.
16. Before deciding whether to permanently exclude a pupil the Principal will not reach their decision until they have heard from the pupil and/or the pupil’s advocate and will inform the pupil of how their views were considered when making the decision.
17. Mary Hare School is aware that off rolling is unlawful. ‘Off-rolling’ is a form of gaming and occurs where a school decides, in the interests of the school and not the pupil, to:
- Remove a pupil from the school admission register without a formal, permanent exclusion, or
 - Encourage a parent/carer to remove their child from the school, or
 - Encourage a sixth-form student not to continue with their course of study, or
 - Retain a pupil on the school admission register but not allow them to attend the school normally, without a formal permanent exclusion or suspension, or
 - Move a pupil to alternative provision (AP) where this is not in their best interests, or
 - Send a pupil home without formally recording a suspension regardless of whether it occurs with the agreement of parents/carers, or
 - Place a pupil on a part-time timetable for behavioural reasons
 - Remove a pupil from the school roll without following due process
18. The School has regard to the principles contained within the School Discipline (Pupil Exclusions and Reviews) (England) Regulations 2012 and we will not suspend or permanently exclude a pupil unlawfully by telling or forcing them to leave, encouraging their parent(s)/carer(s) to remove them from the school, or not allowing them to attend school.
19. Any suspension or exclusion will be made on disciplinary grounds, and will not be made:
- Because a pupil has special educational needs and/or a disability (SEND) that the school feels unable to support, or
 - Due to a pupil’s poor academic performance, or
 - Because the pupil hasn’t met a specific condition, such as attending a reintegration meeting
20. If any pupil is suspended or permanently excluded on the above grounds, this will also be considered as ‘off-rolling’.
21. Where there are concerns about the behaviour, or risk of suspension or permanent exclusion, of a pupil with SEN, a disability or an education, health and care (EHC) plan, the school will, in partnership with others (including where relevant, the LA), consider what additional support or alternative placement may be required. This will involve assessing the suitability of provision for the pupil’s SEN or disability.
22. Where a pupil has an EHC plan, the school will contact the LA about any behavioural concerns at an early stage and consider requesting an early annual review prior to making the decision to suspend or permanently exclude the pupil.

23. If there is an ongoing safeguarding investigation (whether that includes a criminal investigation or not) that may result in the permanent exclusion of a pupil, or if a pupil has been reinstated to the school, it is likely that complex and difficult decisions will need to be made. These decisions will be made alongside the school's safeguarding duties and its duty to provide an education.

Deciding whether to temporarily remove a pupil from the school site for safeguarding reasons

24. In exceptional circumstances, the headteacher may decide to temporarily prevent a pupil from attending the school site for safeguarding reasons. This is not an exclusion on disciplinary grounds.
25. This measure will only be used when:
- It is necessary to separate pupils to ensure safety, and
 - There is no reasonable alternative that would allow all pupils to remain on site
26. Decisions will be made on a case-by-case basis, led by the designated safeguarding lead (DSL) and informed by multi-agency working where appropriate (e.g children's social care or the police).
27. Where this measure is used, the school will:
- Inform parents/carers without delay, including the reasons for the decision
 - Notify the governing board without delay
 - Provide work for the pupil to complete at home, or work with the LA to ensure suitable education is arranged
 - Support the pupil's reintegration, as soon as it is safe to do so

Roles and Responsibilities

The Principal

28. If a suspension or exclusion is necessary, the Principal, or a person acting with the Principal's authority, will provide the following information, in writing, to the parents (and pupil if over 18) of a suspended or excluded pupil as soon as possible:
- The reason(s) for the suspension or exclusion
 - The length of the suspension or, for a permanent exclusion, the fact that it is permanent
 - The Principal, or a person acting with the Principal's authority, will also notify parents by the end of the afternoon session on the first day their child is suspended or excluded that for the duration of the suspension or until the start date of any alternative provision parents are legally required to ensure that their child is not present in a public place during school hours without a good reason. Parents/carers may be given a fixed penalty notice or prosecuted if they fail to do this
 - Additionally for permanent exclusion the parents' right to make representations about the suspension or permanent exclusion to the Governing Body and how the pupil may be involved in this.
29. That parents, carers and pupils have the right to request that the meetings be held remotely, and how and to whom they should make this request.

Alternative Provisions

30. If alternative provision is being arranged to improve behaviour, the written notification will include:
- The start date for any provision of full-time education that has been arranged
 - The address at which the provision will take place

- The name of the person the pupil should report to on arrival
 - The duration of the placement
 - The reasons for, and objectives of, the placement
 - The start and finish times of any such provision
 - Where 2 sessions per day are provided:
 - What time the morning sessions starts
 - What time the afternoon session ends
 - What time the break between them starts and ends
 - Where a single session per day is provided:
 - What time the session starts and ends
31. If the headteacher does not have all the information about the alternative provision arrangements by the end of the afternoon session on the first day of the suspension or permanent exclusion, they can provide the information at a later date, without delay and no later than 48 hours before the provision is due to start.
32. The only exception to this is where alternative provision is to be provided before the sixth day of a suspension or permanent exclusion, in which case the school reserves the right to provide the information with less than 48 hours' notice, with parents'/carers' consent.

Providing Education during the first 5 days of a Suspension or Permanent Exclusion

33. During the suspension, if the pupil is not attending alternative (AP) provision, the Principal will take steps to ensure that achievable and accessible work is set and marked for the pupil (the Principal does not have to arrange such provision for pupils in their final year of compulsory education who do not have any further public exams to sit).
34. For the first 5 school days of the suspension or exclusion (or until the start date of any alternative provision or the end of the suspension, where this is earlier), the parents/carers are legally required to ensure that their child is not present in a public place during school hours without a good reason.
35. Parents/carers may be given a fixed penalty notice or prosecuted if they fail to do this.

Informing the Governing Body and Local Authority

36. The Principal will, without delay, notify the Governing Body of:
- A permanent exclusion, including when a suspension is followed by a decision to permanently exclude a pupil
 - Any suspension which would result in the pupil being excluded for more than five school days in a term
 - Any suspension which would result in the pupil missing a public examination
37. For all other suspensions the Principal will notify the Governing Body once per term through the scheduled Full Governing Board meetings.
- The Principal will notify the placing Local Authority of all suspensions and permanent exclusions without delay, regardless of the length of a suspension through the sharing of details within the letter to parents.
 - If the Principal cancels the suspension or permanent exclusion, the school will notify the Governing body and LA and provide a reason for the cancellation

If a Pupil with a Social Worker or a Pupil who is a Looked After Child (LAC)

38. If a pupil with a social worker or LAC is at risk of suspension or permanent exclusion, the Principal or DSL will inform **the social worker or VSH** (Virtual School Head) as early as possible.
39. If the Principal decides to suspend or permanently exclude a pupil with a social worker / a pupil who is looked after, they will inform the pupil's social worker / the VSH, as appropriate, without delay, that:
 - They have decided to suspend or permanently exclude the pupil
 - The reason(s) for the decision
 - The length of the suspension or, for a permanent exclusion, the fact that it is permanent
 - The suspension or permanent exclusion affects the pupil's ability to sit a National Curriculum test or public exam (where relevant)
 - They have decided to cancel the suspension or permanent exclusion and why (where relevant)
40. The social worker / VSH will be invited to any meeting of the Governing Board about the suspension or permanent exclusion. This is so they can provide advice on how the pupil's background and/or circumstances may have influenced the circumstances of their suspension or permanent exclusion. The social worker / VSH should also help ensure safeguarding needs and risks and the pupil's welfare are considered.

Cancelling Suspensions and Permanent Exclusions

41. The Principal may cancel a suspension or permanent exclusion that has already begun, but this will only be done where it has not yet been reviewed by the Governing Board. Where there is a cancellation:
 - The parents, Pupil (if over 18), Governing Board and LA will be notified without delay
 - Where relevant, any social worker or VSH will be notified without delay
 - Parents will be offered the opportunity to meet with the Principal to discuss the cancellation
 - As referred to above, the Principal will report to the Governing Board once per term on the number of cancellations and reasons why
 - The pupil will be allowed back in school without delay
 - 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.
 - A permanent exclusion cannot be cancelled if the pupil 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

Local Authority (LA)

42. The Principal will notify the LA of all suspensions and permanent exclusions without delay, regardless of the length of a suspension.
43. The notification will include:
 - The reason(s) for the suspension or permanent exclusion
 - The length of a suspension or, for a permanent exclusion, the fact that it is permanent

44. For a permanent exclusion, if the pupil lives outside the LA in which the school is located, the headteacher will also, without delay, inform the pupil's 'home authority' of the exclusion and the reason(s) for it.
45. The Principal must notify the LA without delay of any cancelled exclusions, including the reason the exclusion was cancelled.
46. Following a permanent exclusion, the School will work with the placing local authority, parents/carers and other relevant agencies to support the identification of appropriate future educational provision.
47. Where a pupil has an EHCP, the School will work with the placing authority to ensure that statutory duties relating to the EHCP continue to be fulfilled
48. For pupils who are LAC or have social workers / VSH, the LA and the school will work together to arrange suitable full-time education to begin from the first day of the exclusion.

The Governing Body

49. Responsibilities regarding exclusions is delegated to a Governors' Discipline Committee (GDC) made up of three Governors, which has a duty to consider the reinstatement of an excluded pupil.
 - The GDC has a duty to consider parents'/carers/pupil (if over 18) representations about a suspension or permanent exclusion. It has a duty to consider the reinstatement of a suspended or permanently excluded pupil in certain circumstances.

Remote Access to Meetings

50. Parents, carers, or pupils if they are 18 or older can request that a governing board meeting be held remotely. If the parents, carers or pupils don't express a preference, the meeting will be held in person.
51. Requests for remote meetings may be refused where, following a risk assessment, it is considered that a remote format would not allow the meeting to be conducted fairly, transparently, or with full participation due to safeguarding reasons.
52. In case of extraordinary or unforeseen circumstances, which mean it is not reasonably practicable for the meeting to be held in person, the meeting will be held remotely.
53. Remotely accessed meetings are subject to the same procedural requirements as in-person meetings.
54. The governing board should make sure that the following conditions are met before agreeing to let a meeting proceed remotely:
 - All the participants have access to the technology that will allow them to hear, speak, see and be seen
 - All the participants will be able participate fully
 - The remote meeting can be held fairly and transparently
55. Social workers and the VSH always have the option of joining remotely, whether the meeting is being held in person or not, as long as they can meet the conditions for remote access listed above.
56. The meeting will be rearranged to an in-person meeting without delay if technical issues arise that can't be reasonably resolved and:
 - Compromise the ability of participants to contribute effectively, or
 - Prevent the meeting from running fairly and transparently

Monitoring and Analysing Suspensions and Exclusions

57. The school will collect data on the following:

- Attendance, permanent exclusions and suspensions
- Use of pupil referral units (PRUs), off-site directions and managed moves
- Anonymous surveys of staff, pupils, governors / trustees and other stakeholders on their perceptions and experiences

58. The data will be analysed every term by the Vice Principal Pastoral or the Principal. They will report back to the Governors in the ERP meeting.

59. The data will be analysed from a variety of perspectives including:

- At school level
- By age group
- By time of day/week/term
- By protected characteristic

60. The school will use the results of this analysis to make sure it is meeting its duties under the Equality Act 2010. If any patterns or disparities between groups of pupils are identified by this analysis, the school will review its policies in order to tackle it.

61. The Governing Board will challenge and evaluate the data on the school's use of suspension, exclusion and managed moves.

62. The Governing Board will consider:

- How effectively and consistently the school's Behaviour Policy is being implemented
- The school register and absence codes
- Instances where pupils receive repeat suspensions
- Interventions in place to support pupils at risk of suspension or permanent exclusion
- Any variations in the rolling average of permanent exclusions, to understand why this is happening, and to make sure they are only used when necessary
- Timing of moves and permanent exclusions, and whether there are any patterns, including any indications which may highlight where policies or support are not working
- The characteristics of suspended and permanently excluded pupils, and why this is taking place
- Review any use of separation from site for safeguarding purposes
- The characteristics of suspended and permanently excluded pupils, and whether pupils who share any particular characteristic are suspended or permanently excluded more than others

Considering the Reinstatement of a Pupil

63. The Governors' Discipline Committee will review any permanent exclusion and any suspension where representations are received from parents/carers.

- The review will ordinarily take place as soon as reasonably practicable following receipt of the representations and within 15 school days if:
- The exclusion is permanent

- It is a fixed-term suspension which would bring the pupil's total number of school days of exclusion to more than 15 in a term
 - It would result in a pupil missing a public examination, when the reinstatement of the pupil will be considered before the date of the examination.
64. If requested to do so by parents, the GDC will consider the reinstatement of a suspended or excluded pupil within 50 school days of receiving notice of the suspension/exclusion if the pupil would be excluded from school for more than five school days, but less than 15, in a single term. In the absence of any representation from the parents, the GDC is not required to meet and cannot direct reinstatement of the pupil.
65. The following parties will be invited to a meeting of the GDC and allowed to make representations or share information (remote meetings such as via MS TEAMS may be conducted if requested by parents and subject to certain criteria as outlined in the Suspension and Permanent Exclusion guidance Sept 2023):
- Parents, or the pupil if they are 18 or over (and, where requested, a representative or friend).
 - The pupil, if they are aged 17 or younger and it would be appropriate to their age and understanding (and, where requested, a representative or friend) are encouraged to participate at all stages of the process. Reasonable modifications to the process will be made to enable pupil participation. In this situation consideration will be given in advance of the meeting to whether the child attends all or part of the hearing. The pupil may be requested to meet the panel prior to the full hearing.
 - The Principal and any school representatives such as the Head of Year, Director of Care, and the Vice Principal (Pastoral).
 - The pupil's social worker if they have one.
 - The VSH, if the pupil is looked after.
66. The Governors' Discipline Committee will review the decision and determine whether the exclusion decision should be upheld or overturned
67. In reaching a decision the GDC will consider whether the decision to exclude was lawful, reasonable and procedurally fair and taking account the Principal's legal duties and the evidence presented to the panel in relation to the decision to exclude. Consideration will be given to whether the suspension/exclusion of a pupil is in their interests and also the impact of their continued placement of the care, education and welfare of others. They will decide whether or not a fact is true 'on the balance of probabilities', which differs from the criminal standard of 'beyond reasonable doubt'. Minutes will be taken of the meeting, and a record of evidence considered kept. The outcome will also be recorded on the pupil's educational record.
68. The GDC will notify, in writing, the Principal, parents and the LA of its decision, along with reasons for its decision, without delay.
69. Where a suspension or permanent exclusion would result in a pupil missing a public exam or National Curriculum test, the GDC will, as far as reasonably practicable, consider and decide on the reinstatement of the pupil before the date of the exam or test. If this is not practicable, the chair of the governing board (or the vice-chair, if necessary) may consider the suspension or permanent exclusion and decide whether or not to reinstate the pupil.
70. Where an exclusion is permanent and the GDC has decided not to reinstate the pupil, the notification of decision will inform the parents/the pupil that if they believe that the permanent exclusion has occurred as a result of unlawful discrimination, they may make a claim under the Equality Act 2010 to the first-tier

tribunal (special educational needs and disability), in the case of disability discrimination, or the county court, in the case of other forms of discrimination. Also, that any claim of discrimination made under these routes should be lodged within 6 months of the date on which the discrimination is alleged to have taken place

71. There is no statutory right to an Independent Review Panel. Any challenge to an exclusion decision may be pursued through the School's Complaints Policy or through any legal routes available to the parent.

Recording and Registering Suspensions

72. All suspensions will be formally recorded on the pupil's educational record and attendance register in accordance with statutory attendance guidance and the School's attendance procedures. Appropriate attendance codes will be used to accurately reflect the pupil's absence from school.

Recording Alternative Provision

73. Where a pupil attends alternative provision arranged by the School or placing authority during a suspension, the appropriate attendance code will be used to reflect that provision. Attendance at alternative provision will be monitored and recorded in line with the School's Attendance Policy.

Permanent Exclusions

74. Where a decision to permanently exclude a pupil is upheld following the School's review process, the pupil's name may be removed from the School's admissions register. Before removing a pupil from roll, the School will ensure that:
 75. The School's exclusion process has been completed;
 76. Parents/carers have been informed of the outcome in writing;
 77. Relevant placing authorities have been notified;
 78. Appropriate arrangements have been discussed with the placing authority, particularly where the pupil has an Education, Health and Care Plan (EHCP).
 79. We will work closely with the placing local authority and parents/carers to ensure that any change of placement is managed appropriately and in accordance with the authority's statutory responsibilities. Permanent exclusion will not in itself discharge the local authority's duties under an EHCP
80. Where excluded pupils are not attending alternative provision, code E (absent) will be used.

Returning from a Suspension or Separation for safeguarding purposes

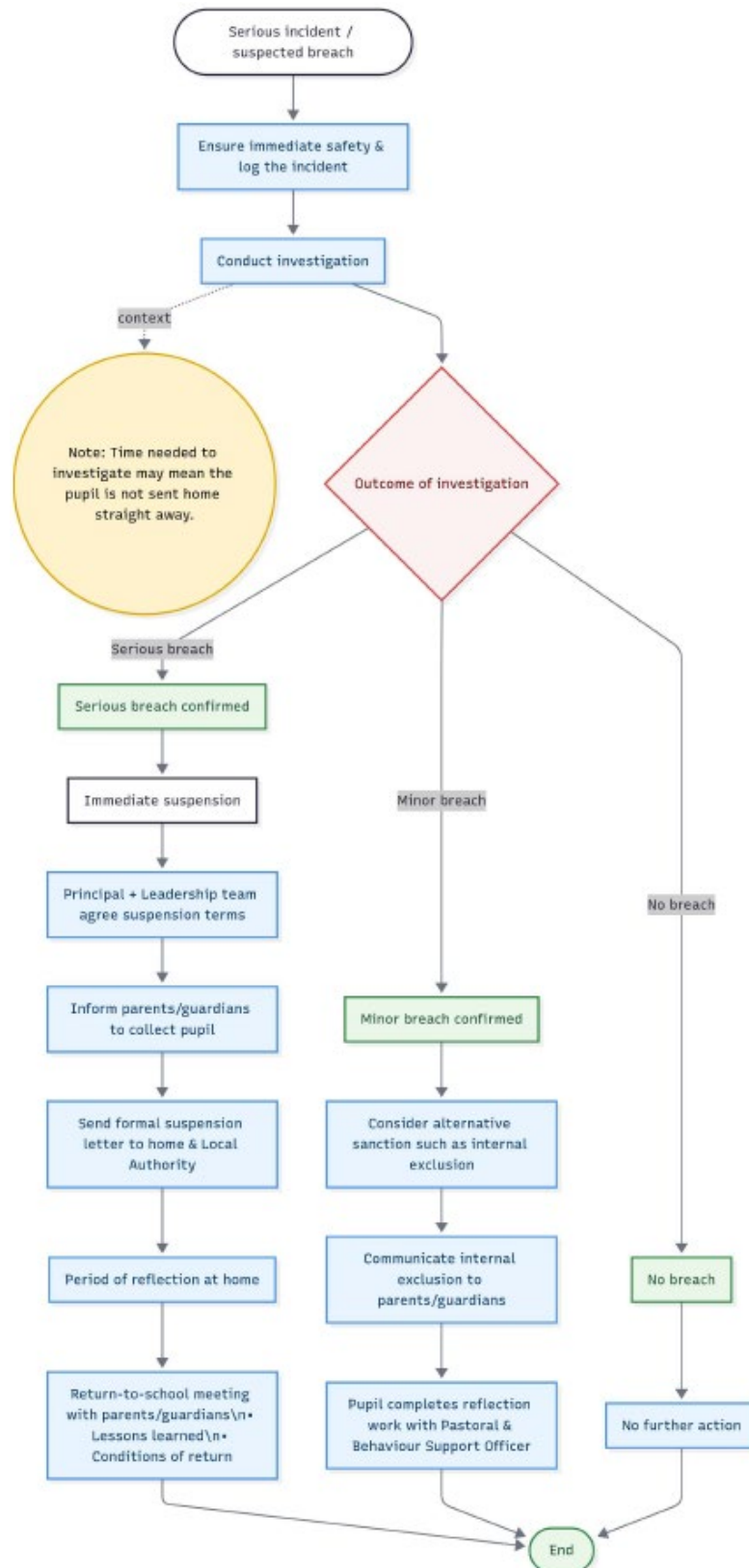
81. Following a suspension or separation for safeguarding purposes and before a pupil can return to school, a reintegration meeting will be held involving the pupil, parents, a member of senior staff and other staff where appropriate in order to help a pupil reintegrate successfully into full time education and school life. A representative from the LA will also be invited.
82. During the meeting the school will communicate to the pupil that they are getting a fresh start and that they are a valued member of the school community.
83. The pupil, parents/carers, a member of senior staff, and any other relevant staff will be invited to attend the meeting.
84. The meeting can proceed without the parents/carers in the event that they cannot or do not attend.
85. The school expects all returning pupils and their parents/carers to attend their reintegration meeting, but pupils who do not attend will not be prevented from returning to the classroom.

86. Where necessary, the school will work with third-party organisations to identify whether the pupil has any unmet special educational and/or health needs.
87. In the case of extraordinary or unforeseen circumstances, which mean it is not reasonably practical for the meeting to be held in person, the meeting can be held remotely.
88. Minutes will be taken, and the Parents and LA will be sent in writing a copy of the outcome from the meeting.
89. The following measures may be implemented when a pupil returns from a suspension, and the behaviour policy should be implemented in conjunction with any other measures taken to support the return of the pupil.
- A BSP (Behaviour Support Programme), with regular reviews with parents, relevant school staff and support in place for the pupil.
 - Monitoring report, reporting into Head of Year or SLT as required.
 - Making any changes to the pupil's timetable.
 - Implementation of other methods of support for pupil, such as through the school Wellbeing Team or work with external agencies such as (The Edge and DCAMHS).

Links with other Policies

90. This exclusions policy is linked to our 'Behaviour Policy'
- Physical Intervention Policy
 - Complaints Policy

Appendix 1 – Suspension flow chart



Policy Version Detail

Reviewed Date:	Version:	Details of change:
	0.1	Re-write
Autumn 2024	0.2	
Autumn 2026	0.3	- Paragraph 1 – re-phrased - Paragraph 3 – date updated - Paragraph 7 – added the word ‘permanently’ - Paragraph 10 - clarification (second phrase) - Paragraph 11 - re-phrased - Paragraph 12 – streamlined as the section belongs to another policy (admissions) - Paragraph 15 – Addition of bullet point 2 and updating of bullet points 4 & 5. - Paragraphs 16 to 25 – New additions - Paragraph 28 – clarification in the last bullet point regarding the type of suspension - Paragraph 29 – new addition - Paragraph 30 - re-phrased - Paragraph 34 & 35 – new additions - Paragraph 42 to 45 – new additions - Paragraph 46 - re-phrased - Paragraphs 50 to 60 – new additions - Paragraph 62 – Addition of the last 2 bullet points - Paragraphs 63 & 64 – new additions - Paragraph 67 - new addition - Paragraph 72 - new addition - Paragraphs 73 to 87 - new additions