



Suspension and Permanent Exclusion Policy

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Name of Responsible Committee/Individual:	Local Governing Body
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Related Documents:	DfE Suspension and Permanent Exclusions from maintained schools, Academies and pupil referral units in England & DfE Alternative Provision Statutory guidance for local authorities

1. Introduction

This policy should be read in conjunction with the school's Behaviour Policy. It is intended to give parents/carers a simple overview of the reasons a school may need to use suspensions or permanent exclusions; it is not intended to provide detailed guidance for school leaders. Full details of the national guidance can be found in the ***Suspension and Permanent Exclusion. Guidance for schools, academies, and PRUs, May 2023 and Behaviour in schools: Advice for Headteachers and school staff, September 2022.***

2. Background

This government supports Headteachers in using suspension and permanent exclusion as a sanction when warranted as part of creating a calm, safe, and supportive environment in which pupils can learn and thrive. To achieve this, suspensions and permanent exclusions are sometimes a necessary part of a functioning system, where it is accepted that not all pupil behaviour can be amended or remedied by pastoral processes, or consequences within the school.

For the vast majority of pupils, suspensions and permanent exclusions may not be necessary, as other strategies can manage behaviour. However, if approaches towards behaviour management have been exhausted, then suspensions and permanent exclusions will sometimes be necessary as a last resort. This is to ensure that other pupils and teaching staff are protected from disruption and can learn in safe, calm, and supportive environments ***[Suspension and Permanent Exclusion. Guidance for schools, academies, and PRUs, May 2023]***

All pupils are entitled to an education where they are protected from disruption and can learn in a calm, safe and supportive environment. Headteachers can use suspension and permanent exclusion in response to serious incidents or in response to persistent poor behaviour which has not improved following in-school sanctions and interventions ***[Behaviour in schools: Advice for Headteachers and school staff, September 2022]***

3. Suspension

A suspension is where a pupil is temporarily removed from the school for a fixed period. It can be for one or more fixed periods (up to a maximum of 45 school days in a single academic year) and does not have to be for a continuous period.

The decision to suspend a pupil from the school can and will only be taken by the Headteacher or, in their absence, a Deputy Headteacher or the most senior member of staff on site to whom the authority has been delegated.

The decision to suspend a pupil is a matter of judgement for the Headteacher, who will take into account the likely impact of the misconduct on the life of the school. This may include behaviour that is in breach of the standards of behaviour expected by the school either on the school premises or outside of school.

Pupil behaviour outside the school will be dealt with in the same way as behaviour inside the school where it is considered that there is a clear link between the inappropriate behaviour

outside the school, and the risk of it harming the education, welfare and discipline among the pupils as a whole.

Conduct outside the school premises, including online conduct, that schools might sanction pupils for include misbehaviour:

- when taking part in any school-organised or school-related activity
- when travelling to or from school
- when wearing school uniform
- when in some other way identifiable as a pupil at the school
- that could have repercussions for the orderly running of the school
- that poses a threat to another pupil
- or that could adversely affect the reputation of the school

(Behaviour in schools: Advice for Headteachers and school staff, September 2022]

4. Behaviours that may result in suspension and/or permanent exclusion

Headteachers use their professional judgement based on the individual circumstances of the case when considering whether to exclude a pupil. Suspension, whether suspension from lessons, external suspension, or permanent exclusion may be used for any of the following, all of which constitute examples of unacceptable conduct, and are infringements of our behaviour policy:

- Deliberate unsafe behaviour which potentially causes risks to others
- Fighting
- Persistent bullying/abuse/intimidation of other pupils
- Unauthorised filming, photographing or recording in school
- Actions which put the pupil, or others, in danger
- Verbal abuse or threatening behaviour against pupils or staff
- Racial, homophobic, sexual or other discriminatory abuse, harassment or aggression
- Sexual assault or misconduct
- Physical abuse of/assault against staff or pupils
- Malicious allegations against staff
- Indecent behaviour
- Damage to property
- Possession and/or misuse of illegal drugs, alcohol and/or other substances (e.g. legal high)
- Theft
- Serious actual or threatened violence against pupil or staff
- Carrying an offensive weapon
- Arson
- Unacceptable behaviour which has previously been reported and for which school sanctions and other interventions have not been successful in modifying the pupil's behaviour
- Defiance and /or persistent refusal to accept school sanctions.

This list is non-exhaustive and is intended to offer examples rather than be complete or definitive. There may be other situations where the Headteacher makes the judgement that suspension is an appropriate sanction.

Before reaching a decision to either suspend, or permanently exclude, the Headteacher will:

- Consider all relevant facts and such evidence as may be available to support the allegations made
- Make every effort to ensure that the pupil makes or dictates a written statement to give their version of events
- Check whether the incident may have been provoked, for example by racial or sexual harassment
- If necessary, consult others, being careful not to involve anyone who may have a role in any statutory review of their decision, for example members of the governor panel
- Keep a written record of the actions taken, including any interview with the pupil. Witness statements must be dated and should be signed, wherever possible.

When the Headteacher makes the decision to suspend or permanently excludes a pupil they will ensure that parents are notified without delay, usually by phone call and then followed in writing, including the details and their rights to make representation where applicable. They will also notify the social worker, if a pupil has one, and the VSH, if the pupil is a LAC. Before permanently excluding a Looked After Child the Headteacher will always discuss with the appropriate LA officers and VSH the availability of suitable alternative provision elsewhere.

5. Drug related suspension or exclusion

When dealing with an incident involving the potential use or dealing in drugs it should be stressed that if sanctions are applied, the school will base its judgement not only on physical evidence but also where the balance of evidence indicates a pupil or pupils have taken illegal substances or supplied illegal substances to other members of the school community. This is not restricted to school premises but, as defined earlier, also includes behaviour outside of school that is in breach of the standards of behaviour expected by the school and/or where the health and safety of other members of the school community are compromised.

6. Lunchtime suspension

Pupils whose behaviour at lunchtime is disruptive may be suspended from the school premises for the duration of the lunchtime period. Any lunchtime exclusion will be treated in the same way as any other fixed-term suspension and parents will be informed in the same way. Any pupil entitled to a free school meal will be offered a packed lunch.

7. Reintegration following a suspension from school

A reintegration meeting will be arranged with the parent/carer during or following the completion of exclusion. The pupil will be expected to attend either the full or part of the meeting. The aim of the meeting is to assist the pupil to make a positive reintegration back into the school community. In the event that a parent cannot attend, the meeting will be held with the pupil and an appropriate adult. An action plan or support plan may be drawn up which will outline expectations regarding the pupil's behaviour and will also detail support to be provided by the

school and or multi-agency partners. The reintegration meeting will also provide an opportunity to emphasise the importance of parents and carers working with the school to take joint responsibility for their child's behaviour.

8. Permanent exclusion

The decision to permanently exclude any pupil will only be taken:

- in response to a serious breach or significant breaches of the school's behaviour policy; and
- where allowing the pupil to remain in the school would seriously harm the education or welfare of the pupil or others in the school.

Permanent exclusions will normally be used only as a last resort when a range of other strategies have been exhausted. In exceptional circumstances, the Headteacher might consider it appropriate to permanently exclude a child for a one-off serious breach of the behaviour policy. Such circumstances might include:

- Where there has been serious actual, attempted or threatened violence against another pupil or member of staff
- Sexual assault or misconduct
- Supplying an illegal drug
- Carrying and/or making threats with an offensive weapon
- Any severe form of bullying, including racist, sexist, homophobic or other discriminatory bullying
- Any action resulting in a serious health and safety issue

Again, this list is not intended to be exhaustive and there will be other examples that meet the threshold.

In cases where a criminal offence has taken place, the police may be informed and where appropriate, the Youth Offending Team, Social Services or any other outside agency involved with the pupil. Should the Headteacher decide to permanently exclude a pupil they will inform the Local Authorities Exclusions Officer at the earliest possible opportunity.

9. Preventative measures to school suspension and exclusion

We are committed to using suspension and exclusion as a last resort. Alternatives will always be considered and may include:

- Suspension from lessons in another area of the school
- Restorative practice alongside a sanction
- Managed move, leading to the permanent transfer of the pupil to another school at the agreement of all parties (including parents/carers and the new school)
- An off-site direction, where the pupil is required to attend another educational setting to improve their behaviour for a fixed period of time. Unlike a managed move (above) this does not need agreement from parents and the school is able to direct this as part of its strategy to improve behaviour
- Alternative provision

10. Representation and reviews

All suspension and permanent exclusion letters include details of a parents' right to make representation to the governor panel and other avenues of support.

The governor panel will consider and decide on the reinstatement of a suspended or permanently excluded pupil within 15 school days of receiving notice of a suspension or permanent exclusion from the Headteacher if:

- It is a permanent exclusion
- It is a suspension which would bring the pupil's total number of school days out of school to more than 15 in a term
- It would result in the pupil missing a public examination or national curriculum test.

Should the governor panel decide not to reinstate a permanently excluded pupil then parents/carers may appeal that decision within 15 school days. The appeal will be heard by an independent review panel (IRP).

Should parents wish to make representations about a suspension not listed above, they should follow the guidance included in the suspension letter. Whilst the governor panel has no power to direct reinstatement, they must consider any representations made and may place a copy of their findings on the pupil's school record.

This process is summarised at the end of this policy as appendix 1.

11. Other considerations

The school will implement this Suspension and Exclusion policy with due regard to the implications arising from the Equality Act 2010 which requires schools to make reasonable adjustments for disabled pupils.

Under the Children and Families Act 2014 schools must use their 'best endeavours' to ensure the appropriate special educational provision is made for pupils with SEN, which will include any support in relation to behaviour management that they may need because of their SEN.

The school will always be mindful to the needs of our most vulnerable pupils when considering suspension or exclusion. Professional advice will always be sought; where either a pupil who has a social worker, or where a Looked-after Child is at risk of suspension or exclusion, school staff (including DSL, SENDCo and Designated Teacher) will work closely with the relevant external agencies (VSH, social workers, and local authority officers) at the earliest opportunity.

Appendix 1: Summary of the governing panel's duties to review the Headteacher's exclusion decision

A summary of the governing board's duties to review the headteacher's exclusion decision

Conditions of exclusion

Governing board duties

Does the exclusion meet any of the following conditions?

- It is a permanent exclusion
- It is a suspension that alone, or in conjunction with previous suspensions, will take the pupil's total number of days out of school above 15 in a term
- Will the suspension or permanent exclusion result in the pupil missing a public examination or national curriculum test?

Yes

The governing board must convene a meeting to consider reinstatement **within 15 school days** of receiving notice of the suspension or permanent exclusion.³⁸

*If the pupil will miss a public exam or national curriculum test, the governing board must take reasonable steps to meet **before** the date of the examination. If this is not practical, the chair of governors may consider the pupil's reinstatement alone.³⁹

No

Will the suspension (s) take the pupil's total number of school days out of school above the five but less than 16 for the term?

No

The governing board must consider any representations made by parents and has the power to consider the reinstatement of the pupil.

Yes

Have the pupil's parents requested a governing board meeting?

Yes

The governing board must consider a meeting to consider the reinstatement **within 50 school days** of receiving notice of the suspension.

No

The governing board is not required to consider the suspension but does have the power to consider the reinstatement of the pupil.

³⁸ The governing board may delegate its functions to consider a suspension or permanent exclusion to a designated committee.

³⁹ The ability for a chair to review in the case of public exams refers only to maintained schools.