

Suspension Policy (formally Exclusion Policy)



Approved by: Penny Harris (Director) Jane Cox (Director) **Date:** 13th September 2023

Last reviewed on: 12th September 2022

Next review due by: 13th September 2024

All policies are generated and reviewed with an awareness of equality and diversity in relation to pupils, staff and visitors. All policies are generated and reviewed placing safeguarding and wellbeing at the heart of all that we do.

1. Guidance and legislation

This policy is written with regard to:

- Education (Independent School Standards) Regulations, 2014
- SEND Code of Practice 2015
- The Equality Act 2010
- Keeping Children Safe in Education

This policy should be read alongside the school's Behaviour Management Policy and Special Educational Needs, Disability and Inclusion Policy.

2. Aims

Our school aims to ensure that:

- The suspension process is applied fairly and consistently
- The suspension process is understood by governors, staff, parents and pupils
- Pupils in school are safe, happy and well supported
- Pupils do not become NEET (not in education, employment or training)
- All suspensions are carried out lawfully

3. Definitions

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

4. The decision to suspend

- Only the head teacher, or the member of the SLT acting as the head teacher, has the right to suspend a pupil
- The head teacher only has the right to suspend a pupil if there are legitimate reasons to do so
- Any suspension must be legal and justified
- A decision to suspend a pupil will be taken only:

- In response to serious 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 others
- Before deciding whether to suspend a pupil the head teacher will:
 - Consider all the relevant facts and evidence, including whether the incident(s) leading to the suspension were provoked
 - Allow the pupil to give their version of events
 - Consider the impact of the pupil's special educational needs (SEN) in relation to their behaviour and the suspension itself; reasonable adjustments must be made around a pupil's ability to manage their own behaviour
 - Consider whether all alternative solutions have been explored, such as offsite learning or reparative intervention activities
- A pupil cannot be suspended for one or more fixed periods exceeding 45 school days in any one school year

5. Responsibilities

Informing parents

If a pupil is at risk of suspension the head teacher will inform the parents 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.

If the head teacher decides to suspend a pupil the parents will be informed without delay (and always within 24 hours) of the following:

- The reason(s) for the suspension
- The length of the suspension
- How to make a representation about the suspension

The head teacher will also notify parents by the end of the afternoon session on the day their child is suspended that for the first 5 school days of a suspension, or until the start date of any alternative provision where this is earlier, parents are legally required to ensure that their child is not present in a public place during school hours without a good reason. Parents may be given a fixed penalty notice or prosecuted if they fail to do this.

The head teacher can only send a child home during a school day if they ascertain that the child will be received by their parents, or the parents have made alternative arrangement to keep them safe, on arrival.

If alternative provision is being arranged, the following information will be included when notifying parents of a suspension:

- The start date for any provision of education that has been arranged
- The start and finish times of any such provision, including the times for morning and afternoon sessions, where relevant
- The address at which the provision will take place and relevant arrangements

Where this information on alternative provision is not reasonably ascertainable by the end of the afternoon session, it may be provided in a subsequent notice, but it will be provided no later than 48 hours before the provision is due to start. The only exception to this is where alternative provision is to be provided before the sixth day of a suspension in which case the information can be provided with less than 48 hours' notice with parents' consent.

Informing the governing body and local authority

The head teacher will notify the governing body and the local authority of suspensions. The notification will include:

- The reason for the suspension.
- The length of a suspension.

Informing the pupil's social worker and/or virtual school head (VSH)

If a:

- Pupil with a social worker is at risk of suspension the head teacher will inform the social worker
- Pupil who is a child in care is at risk of suspension the head teacher will inform the VSH

This is in order to work together to consider what factor may be affecting the pupil's behaviour, and what further support can be put in place to improve the behaviour.

If the head teacher decides to suspend a pupil with a social worker or a pupil who is in care they will inform the pupil's social worker/the VSH as appropriate, without delay that:

- They have decided to suspend the pupil
- The reason for the decision
- The length of the suspension
- The suspension affects the pupil's ability to sit a National curriculum test or public examination where relevant
- The social worker/VSH will be invited to any meeting of the governing body about the suspension.

Providing education during the first 5 days of a suspension

During the first 5 days of a suspension the head teacher will take steps to ensure that achievable and accessible work is set and marked for the pupil.

Logging the suspension

The head teacher will keep a log of all suspensions from the school (see Information Recording, Reporting and Retention Policy)

6. Reintegration following the suspension

The head teacher and SLT will have a strategy for reintegrating a pupil who returns to school following a suspension and for managing their future behaviour. This strategy and its implementation will be documented.

If there have been several suspensions for similar events, suspension is proving to be an ineffective sanction and the current Behaviour Support Plan is not meeting the pupil's needs. The suspension allows a period of reflection and discussion for senior school leaders.

A pupil returning from a suspension will need continued and ongoing support to help them avoid repetition.

7. Monitoring suspension patterns

The head teacher will monitor all patterns in relation to school suspensions and it will be a priority to develop the use of alternative strategies to suspension, taking into account the safeguarding risks to pupils who may be suspended. A multi-agency approach will be used by the school in support of those pupils at increased risk of suspension.

8. Alternatives to Permanent Exclusion

Given the school's status as a special school, and because pupil places are commissioned at the school by the local authority and are based on individual pupil need, the school will not permanently exclude a pupil. Instead, the head teacher will work with the local authority commissioner to:

- Put in place alternative provision, such as 1:1 outreach, to maintain a pupil's place at the school and the continuation of their education
- Hold a review meeting to discuss whether the pupil's needs can continue to be met at this school and to decide on further actions and timescales
- Give parents the opportunity to make representation regarding the place at the school
- Manage the transition from this school to a new school or provision, if pupil needs can no longer be met

After all alternatives have been explored, and with the agreement of the governing body, the head teacher will inform the local authority commissioner that this school can no longer meet the pupil's needs and the pupil will then be removed from the school's attendance and admissions register.

9. Review

In order to ensure that this policy is relevant, if you have any comments please email directors@ontrackededucation.com