



School Suspensions and Permanent Exclusions Policy

September 2021

Next Review Due: September 2022

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Introduction

We do not wish to exclude any child from school, but sometimes in exceptional circumstances this may be necessary. The school has therefore adopted the standard national list of reasons for exclusion, and the standard guidance, *Exclusion from maintained schools, academies and pupil referral units in England September 2017*). We refer to this guidance in any decision to exclude a child from school. This was updated on the 10th September 2021. Fixed term exclusions are now termed suspensions.

It is the policy of all HMFA schools to try to deal with all behavioural issues in an active, positive way, employing a wide range of strategies, including those specifically designed to avoid such issues reaching the point of suspension or permanent exclusion. (See Behaviour Policy).

Only a Head Teacher has the power to exclude a child from school. A suspension may be carried out by a member of the senior management team but only after consultation with the Head Teacher. The Head Teacher may suspend a child for one or more fixed periods, for up to 45 days in any one school year. However, individual suspensions should be for the shortest time necessary, bearing in mind that suspensions of more than a day or so make it more difficult for the pupil to re-integrate into the school. In all cases work must be set and marked.

In extreme and exceptional circumstances, the Head Teacher may exclude a child permanently. It is also possible for the Head Teacher to convert a suspension into a permanent exclusion, if the circumstances warrant this.

Suspension and Permanent Exclusions

Suspensions must not be decided in the heat of the moment unless there is an immediate risk to the safety of others in the school or the pupil concerned. A decision to suspend a child should be taken only:

- In response to serious breaches of the school's Behaviour Policy.
- Once a range of alternative strategies have been tried and have failed (unless the breach of behaviour policy is extreme).
- Where allowing the pupil to remain in school would seriously harm the education or welfare of the pupil or other pupils.

Before reaching a decision the Head Teacher must:

- Consider all the relevant facts and firm evidence to support the allegations made, and take into account the school's policy on equal opportunities.
- Allow the pupil to give their version of events.
- Check whether the incident appeared to be provoked by racial or sexual harassment.
- If necessary, consult others, being careful not to involve anyone who may later take part in the statutory review of their decision, e.g. a member of the Governors' Pupil Discipline Committee.
- When establishing the facts in relation to a suspension the Head Teacher must apply the civil standard of proof and not the criminal standard of "beyond reasonable doubt". This means that if something is more likely than not to have occurred ("on the balance of probabilities") then the standard is met.

Suspensions should **NOT** be used for:

- Minor incidents such as failure to do homework or to bring dinner money in.
- Poor academic performance.
- Lateness or truancy.
- Breaching school uniform policy, including hairstyle or wearing jewellery.
- Punishing pupils for the behaviour of their parents, for example, by extending a fixed period exclusion until the parents agree to attend a meeting.

If the Head Teacher excludes a child, he informs the parents immediately, giving reasons for the exclusion. At the same time, the Head Teacher makes it clear to the parents that they can, if they wish, appeal against the decision to the governing body. The school informs the parents how to make any such appeal.

When a child is suspended or permanently excluded, the school must, without delay, provide parents with the following information in writing:

- the reasons for the exclusion
- the period of a suspension or, for a permanent exclusion, the fact that it is permanent
- the parents' right to make representations about the suspension or permanent exclusion to the governing body
- how any representations should be made
- where there is a legal requirement for the governing body to consider the suspension or permanent exclusion, that parents have a right to attend a meeting, be represented at this meeting (at their own expense) and to bring a friend

The school must also notify the pupil's parents of the actual school days on which they must ensure that their child is not present in a public place at any time during school hours. Parents who

fail to comply with this duty without reasonable justification commit an offence and may be given a fixed penalty notice or prosecuted.

School will provide work for pupils up until the fifth day of any suspension. If a child is suspended for more than five days i.e. six or more, on the sixth day the school must arrange suitable full-time education. This provision must begin no later than the sixth school day of the exclusion. HMFA schools carry out this legal obligation by having a reciprocal agreement with other schools within the federation. A Teaching Assistant is provided to attend the host school with the suspended pupil.

The Head Teacher informs the Local Authority (LA) about any permanent exclusion and about any suspensions (by returning a copy of the suspension/permanent exclusion letter via anycomms).

The school may hold a reintegration meeting with the pupil and their parents/carers as the pupil comes back to school. The purpose of the reintegration meeting will be to support the pupil in order that further suspensions are not necessary.

The school will initiate a Pastoral Support Plan for any child who is considered to be at risk of suspension and an Early Help Assessment may also be considered if necessary. The school will work actively with the Inclusion Manager (Clare Sankey) taking into consideration a Managed Move or Managed Transfer if appropriate.

This school would consider permanent exclusion only as a very last resort. Permanent exclusion would only be considered for serious breaches of the school's behaviour policy when all other options had been exhausted.

Governing Body

The Head Teacher must, without delay, notify the governing body of:

- a permanent exclusion (including where a suspension is followed by a decision to permanently exclude the pupil)
- suspensions which would result in the pupil being excluded for more than five school days in a term
- suspensions which would result in the pupil missing a public examination or national curriculum test

The governing body itself cannot either suspend/permanently exclude a child or extend the suspension period made by the Head Teacher.

The governing body has a discipline committee which is made up of between three and five members. This committee considers any suspension or permanent exclusion appeal on behalf of the governors. When an appeal panel meets to consider suspension they consider the circumstances in which the child was suspended, consider any representation by parents and the LA, and consider whether the child should be reinstated. If the governors' appeals panel decides that a child should be reinstated, the Head Teacher must comply with this ruling.

When convening and holding an exclusion appeal panel the Governors will refer to guidance set out in *Exclusion from maintained schools, academies and pupil referral units in England (September 2017)*