



SUCCESS ACADEMY TRUST

Suspensions & Permanent Exclusions Policy

Approved/reviewed by	
Success Academy Trust Full Board April 2023 V1	
Date of next review	April 2024

This policy is reviewed annually to ensure compliance with current regulations.

Version	Date	Updated by	Summary of changes
V1	April 2023	Trust Head Teachers	New Policy

Introduction:

The Principal will have overall responsibility for ensuring the procedures for exclusions and suspensions which are set out in law are adhered to. The Pastoral Vice Principal will also take a delegated leadership role around policy and practice.

This policy is to be read in conjunction with the School's Behaviour Policy.

Principles

1. Suspension is used sparingly and only in one or both of the following circumstances: -
 - When other sanctions and behaviour management such as restorative discussions, monitoring/mentoring, detentions, internal exclusion and other appropriate interventions have failed, in the case of persistent negative choices and misbehaviour. The College believes in having a series of steps available for the management of student behaviour and views suspension as a last resort for persistent negative choices and misbehaviour.
 - In cases of serious individual incidents of misbehaviour, including but not limited to verbal abuse, threatening behaviour, violent behaviour, assault, criminal damage, abuse against a protected characteristic, use of and/or possession of an offensive weapon or of banned substances or when a student is demonstrating persistent defiance in refusing to cooperate with designated staff administering appropriate pre-exclusion sanctions for negative choices and misbehaviour. This can also include incidents outside the college as well as on the college site.
2. Suspensions are decided upon through a process of consultation with key staff, and a member of the Senior Leadership Team and the Principal or Principal designate is always involved in taking the decision. More details are below in 'the process of suspension'.
3. The need to work in partnership with parents/guardians, social workers, virtual school (for looked after students –LAC) is not forgotten in cases of suspensions.
4. The dignity of the student is respected and the essential worth of every young person remembered. Our aims are to work towards an acknowledgement of justice and restorative practice.
5. Great care is taken to follow the appropriate procedures with due consideration for the rights of students and parents.
6. Due regard is given to the Disability Discrimination Act in relation to suspensions.

Suspensions

A suspension, where a pupil is temporarily removed from the school, is an essential behaviour management tool. A pupil may be suspended for one or more fixed periods (up to a maximum of 45 school days in a single academic year). A suspension does not have to be for a continuous period. The legal requirements relating to the suspension, such as the Principal's duty to notify parents, apply in all cases.

A suspension may be used to provide a clear signal of what is unacceptable behavior as part of the school's behaviour policy and show a pupil that their current behaviour is putting them at risk of permanent exclusion. Where suspensions are becoming a regular occurrence for a pupil, the Principal should consider whether suspension alone is an effective sanction for the pupil and whether additional strategies need to be put in place to address behaviour.

It is important that during a suspension, pupils still receive their education. The college will ensure that work is set for pupils during the first five school days of a suspension. This can include utilising online platforms.

The school's legal duties to pupils with disabilities or special educational needs remain in force, for example, to make reasonable adjustments in how they support disabled pupils during this period.

A suspension can also be for parts of the school day. For example, if a pupil's behaviour at lunchtime is disruptive, they may be suspended from the school premises for the duration of the lunchtime period. Lunchtime suspensions are counted as half a school day in determining whether a governing board meeting is triggered (see below).

Formal Suspensions

- **Fixed period**

A student may be suspended for one or more fixed periods – Up to a maximum of 45 school days in a single academic year.

For the first five days of a fixed term exclusion the College will set work for the student and make arrangements for this to be collected and returned for marking. Where a student is given fixed term exclusion for six days or longer the College has a duty to arrange suitable off-site educational provision from and including the sixth day of exclusion as day one. If a permanent exclusion follows five-day fixed term exclusion, it is the responsibility of the College to set and mark work for the first five days and **not** find a suitable alternative provision.

- **Permanent Exclusion**

A permanent exclusion is when a pupil is no longer allowed to attend a school (unless the pupil is reinstated). The decision to exclude a pupil permanently should only be taken in response to a serious breach or persistent breaches of the school's behaviour policy; or where allowing the pupil to remain in school would seriously harm the education or welfare of the pupil or others such as staff or pupils in the school.

For any permanent exclusion, the Principal should take reasonable steps to ensure that work is set and marked for pupils during the first five school days where the pupil will not be attending alternative provision. Any appropriate referrals to support services or notifying key workers (such as a pupil's social worker/Virtual school) should also be considered.

Students with disabilities and Special Educational Need (SEN) including those with a Education, Health and Care plans (EHCP)

The Equality Act 2010 requires schools to make reasonable adjustments for disabled pupils. This duty can, in principle, apply both to the suspensions and permanent exclusions process and to the disciplinary sanctions imposed.

Under the Children and Families Act 2014, governing boards of relevant settings 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 need because of their SEN.

Schools should engage proactively with parents in supporting the behaviour of pupils with additional needs.

Where a school has concerns about the behaviour, or risk of suspension and permanent exclusion, of a pupil with SEN, a disability or an EHC plan it should, in partnership with others (including where relevant,

the local authority), consider what additional support or alternative placement may be required. This should involve assessing the suitability of provision for a pupil's SEN or disability.

Where a pupil has an EHC plan, schools should contact the local authority about any behavioural concerns at an early stage and consider requesting an early annual review prior to making the decision to permanently exclude.

For those with SEN but without an EHC plan, the school should review, with external specialists as appropriate, whether the current support arrangements are appropriate and what changes may be required. This may provide a point for schools to request an EHC assessment or a review of the pupil's current package of support.

The process of suspension

- Suspensions can only take place with the full knowledge and agreement of the Principal
- Decisions leading to a suspension will involve a range of staff who know the individual student concerned.
- The views of staff involved in incidents which might lead to a suspension will be considered.
- Before a decision is made to suspend a student there will normally be a thorough investigation of the incident(s) taking the perspective of all parties involved into account.
- Records are kept of a student's misbehaviour. In the case of a serious incident statements are taken from staff/students involved or who witnessed the incident.
- Students are often withdrawn from lessons and isolated while investigations take place. Care is taken not to leave students alone for excessive amounts of time, nor to deprive them of food and drink at break and lunchtimes and comfort breaks. Support for the students is provided, e.g. by the wellbeing manager, year lead.
- Once the decision has been taken to suspend, the student is told at the earliest opportunity, talked through the procedures and helped to face parents.
- Parents/guardians, social worker and/or Virtual School are contacted and formal letters of suspension are dispatched within one working day. This includes: the reason(s) for the suspension or permanent exclusion; the period of a suspension or, for a permanent exclusion, the fact that it is permanent; parents' right to make representations about the suspension or permanent exclusion to the governing board (in line with the requirements set out in paragraphs 95 to 105) and how the pupil may be involved in this; and how any representations should be made.
- The local authority are informed without delay.
- Parents/guardians, social worker, Virtual School are given the opportunity to fully discuss the reasons for the suspension and are told about the relevant procedures.
- If a parent/guardian/social worker cannot be contacted the student remains in College for as long as possible while further attempts are made. A student is not sent home during the College day without such a contact. However, physical restraint will not be used to prevent a student leaving.
- In suspensions requiring a Governors' hearing, care is taken to produce a school report which is precise and carefully documented and to follow procedures scrupulously.

Reintegration meeting following a suspension

Schools should support pupils to reintegrate successfully into school life and full-time education following a suspension or period of off-site direction. They should design a reintegration strategy that offers the pupil a fresh start; helps them understand the impact of their behaviour on themselves and others; teaches them to how meet the high expectations of behaviour in line with the school culture; fosters a renewed sense of belonging within the school community; and builds engagement with learning.

An initial re-integration meeting with parents, the child and either the Principal or Vice Principal present always follows a suspension, including a review of the reasons for suspension, a restorative conversation and an agreed plan to support improvements moving forward. During a reintegration meeting the student will be supported to understand that they are valued, and their previous behaviour should not be seen as an obstacle to future success.

A range of measures to enable the pupil's successful reintegration are used which can include, but are not limited to:

- Daily contact with a designated pastoral professional in-school;
- Use of a report card with personalised targets leading to personalised rewards and sanctions;
- Planned pastoral interventions;
- Regular reviews with the pupil and parents to praise progress being made and raise and address any concerns at an early stage;
- Informing the pupil, parents and staff of potential external support.
- A part time timetable, if used to support successful re-integration, will be regularly reviewed with the aim of returning to a full time timetable as soon as possible.

Tier Four 'Programme Managed' Referral to the South Leicestershire Behaviour Partnership

Tier Four 'Programme Managed' Referral applies when it is no longer appropriate for a particular student to access their education in the college, and is a possible alternative to permanent exclusion, resulting from a decision reached in close liaison with the Principal, designated Vice Principal and the South Leicestershire Behaviour Partnership. This involves the young person being educated away from school with possibly College Placements/ Training providers/ Youth projects/ Work experience in addition to appropriate academic inputs. The South Leicestershire Behaviour Partnership takes full responsibility for the education of the student, but they remain on the college roll rather than being permanently excluded from it.

The duties of governors

The governing board has a duty to consider parents' representations about a suspension or permanent exclusion if the parents make an official representation. The requirements on a governing board to consider the reinstatement of a suspended or permanently excluded pupil depend upon a number of factors (these requirements are illustrated by the diagram below).

The requirements are different for suspensions where a pupil would be suspended for more than five but less than 16 school days in a term. In this case, if the parents make representations, the governing board must consider and decide within 50 school days of receiving the notice of suspension whether the suspended pupil should be reinstated. In the absence of any representations from the parents, the governing board is not required to meet and cannot direct the reinstatement of the pupil.

Where a suspension or permanent exclusion would result in a pupil missing a public examination or national curriculum test, there is a further requirement for a governing board. It must, so far as is reasonably practicable, consider and decide on the suspension or permanent exclusion before the date of the examination or test. If it is not practical for sufficient governors to consider the reinstatement before the examination or test, the chair of governors, in the case of a maintained school, may consider the suspension or permanent exclusion alone and decide whether or not to reinstate the pupil.

The following parties must be invited to a meeting of the governing board to consider appeals around suspensions / duties to review exclusion decisions which fit the conditions covered in the diagram below:

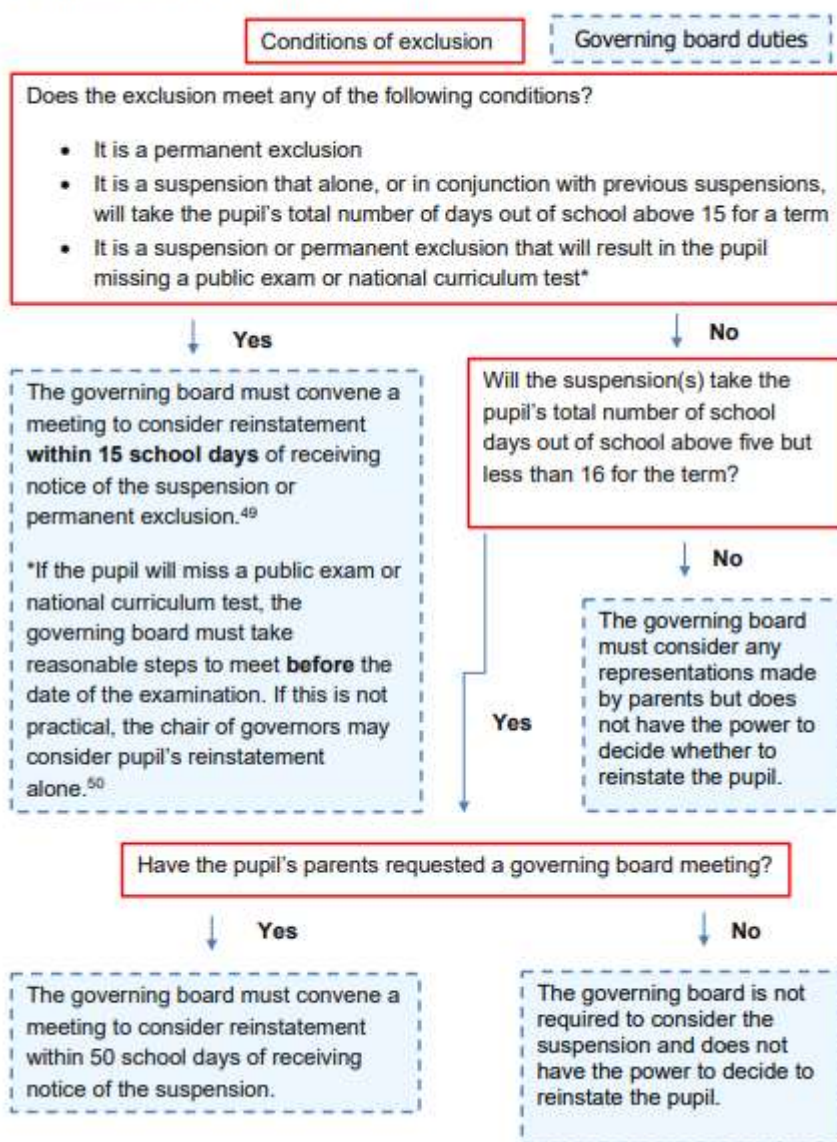
- parents (and, where requested, a representative or friend);
- the pupil if they are 18 years or over;
- the headteacher;
- the child’s social worker if the pupil has one; and
- the VSH if the child is LAC.

If the meeting is to consider a Tier Four referral, the parties invited to attend should include;

- parents (and, where requested, a representative or friend);
- the pupil if they are 18 years or over;
- the headteacher.

The meeting will still take place if some of the invited parties choose not to attend.

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



Guidance for governing boards on using data on suspensions and permanent exclusions

Governing boards should already be challenging and evaluating what their school's data is telling them about their school. Boards should carefully consider the level of pupil moves and the characteristics of pupils who are moving on any permanent exclusions to ensure the sanction is only used when necessary, as a last resort. Governing boards should review suspensions and permanent exclusions, those taken off roll and those on roll but attending education off-site.

Full information about the duties of governors relating to suspension and permanent exclusion are found here:

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1101498/Suspension_and_Permanent_Exclusion_from_maintained_schools_academies_and_pupil_referral_units_in_England_including_pupil_movement.pdf

Monitoring, Review and Evaluation

The impact of the policy will be judged using the following evidence:

- The number of appeals to exclusions received
- The number of exclusions successfully challenged

This policy will be reviewed on a three-yearly basis by:

- Principal
- Governors

Equality Monitoring

Success Academy Trust's commitment to equality and diversity means that this policy, via an Equality Impact Assessment, has been screened in relation to the use of gender-neutral language, recognition of the needs of disabled people, promotion of the positive duty in relation to race, age, disability and avoidance of stereotypes.

Based on the Equality Impact Assessment findings, this policy is judged to be of low impact against the equality strands of Race, Gender, Religion, Disability Sexual Orientation and Age. A copy of the Equality Impact Assessment of this policy is available from the Principal's PA.