

Suspension & Permanent Exclusion

Policy & Procedures

Date: September 2022

Document Control

Organisation	Falinge Park High School
Title	Suspension and Permanent Exclusion Policy and Procedures
Author	Janice Allen
Owner	Janice Allen
Original Policy Date	September 2017
Review date	September 2022

Revision History

Revisor	Date	Version Number	Description of Revision
Janice Allen	June 2018	1.1	Updated to reflect changes in personnel in pastoral and Associate Headteacher
Janice Allen	Sept 2019	1.2	Flowchart updated to identify procedures for Heads of Year and change in names where appropriate: taken out that integration with take place in C2.
Louise Pottinger	Feb 2020	1.3	Annual review
Louise Pottinger	Sept 2022	2.0	Full revision in line with new DfE Guidance

Final Approval:

Chair of Governors Signature	
Date Approved	
Approving Committee	

Document Distribution

Individual/Group	Job Title/Group Type	Distribution Date
All staff	Governors/Teachers/ Associate staff/	July 2016

Purpose & Rationale

This document outlines how Falinge Park High School will fulfil our legal responsibilities in relation to the suspension and/or permanent exclusion of pupils as set out in the DfE guidance “Suspension and Permanent Exclusion from maintained schools, academies and pupil referral units in England, including pupil movement”.

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1089688/Suspension_and_Permanent_Exclusion_guidance_July_2022.pdf

Its purpose is to provide all staff with a clear framework to enable the effective handling of pupil suspension/permanent exclusion issues and to inform all stakeholders of the processes.

This policy is underpinned by our commitment “to create a compelling learning experience” as set out in the Compelling Behaviour Policy ([link here](#)).

1. The Headteacher’s power to suspend or permanently exclude.

- I. Only the headteacher has the right to suspend or permanently exclude a pupil and this must be on disciplinary grounds. If the headteacher is off site then the associate headteacher will have the authority to suspend for a period of one session (i.e. one half-day) all other suspensions can only be authorised in discussion with the headteacher.
- II. A pupil may be suspended for one or more fixed periods (up to a maximum of 45 school days in an academic year) or permanently excluded.
- III. A decision to permanently exclude a child is a serious one and will usually be the final step in a process for dealing with disciplinary offences following a wide range of other strategies
- IV. Whilst the evidence for the suspension or permanent exclusion may have been prepared or collated by other staff, the letter(s) must make it clear that the headteacher (or Associate Headteacher) has reviewed the information and evidence available and has made the decision to suspend/permanently exclude.
- V. The behaviour of a pupil outside school can be considered grounds for a suspension/permanent exclusion.
- VI. When establishing the facts in relation to a suspension or permanent exclusion decision the headteacher must apply civil standard of proof i.e. ‘on the balance of probabilities’ it is more likely than not that a fact is true, rather than the criminal standard of ‘beyond reasonable doubt’. This means that the head teacher should accept that something happened if it is more likely that it happened than that it did not happen.
- VII. The headteacher should also take the pupil’s views into account unless it would not be appropriate to do so. Considering their age and understanding, the pupil should be given support to express their views, including through advocates such as parents, carers or if the pupil has one, a social worker. Whilst a suspension or permanent exclusion may still be an appropriate sanction, the headteacher should also take into account any contributing factors identified after the incident of poor behaviour has occurred. For example where it has come to light that the pupil has suffered a bereavement, has mental health issues or has been subject to bullying.
- VIII. The head teacher may withdraw a suspension/permanent exclusion that has not been reviewed by the governing board.
- IX. The head teacher must take account of their legal duty of care when sending a pupil home following a suspension.

2. The Headteacher's duty to inform parties about suspension or permanent exclusion.

Informing parents

- I. When the headteacher suspends or permanently excludes a pupil they must, without delay, notify parents of the period of the suspension or permanent exclusion and they reason(s) for it. Notification should be in person or by telephone in the first instance.
- II. If the pupil has a social worker or if the pupil is looked-after, the headteacher must, without delay after their decision, notify the social worker and/or VSH, as applicable.
- III. The headteacher must also, without delay, after their decision, provide parents with the following information in writing:
 - The reason(s) for the suspension or permanent exclusion;
 - The length of the 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 and how the pupil may be involved in this;
 - How any representations should be made.
- IV. Written notification can be provided by delivering directly to the parents. Leaving it at their usual or last known home address or posting it to that address. It can also be given electronically if the parents/carers have given written agreement for communication to be delivered in this way.

Informing the Governing Board

- V. The headteacher must, without delay, notify the governing board of:
 - Any permanent exclusion (including where a suspension is followed by a decision to permanently exclude the pupil)
 - Any single or consecutive suspensions (i.e. one suspension follows directly on from another) suspension or permanent exclusion which would result in a pupil being suspended or permanently excluded for a total of more than five school days (or more than ten lunchtimes).
 - Any suspension or permanent exclusion which would result in the pupil missing a public exam or a national curriculum test.

Informing the Local Authority

- VI. The local authority must be informed without delay of all school suspensions and permanent exclusions regardless of the length of the exclusion.

3. The governing board and local authority's duties to arrange education.

- VII. For a suspension of more than five, but less than 16 school days, the governing board must arrange suitable full-time education for any pupil of compulsory school age. When a child receives consecutive suspensions (i.e. one suspension follows directly on from another taking the total suspended days to more than 5) these are regarded as a cumulative period of suspension and as such suitable full-time education must be arranged.
- VIII. For permanent exclusions, the local authority must arrange suitable full-time education for the pupil to begin from the sixth school day after the first day of the permanent exclusion.
- IX. Prior to the sixth day of a suspension/permanent exclusion it is important that the school helps to minimise the disruptions this can cause to a pupil's education. Whilst the statutory duty to arrange full-time education from the sixth day the school will set and mark work for the pupil via Google Classroom.

4. The governing board's duty to consider a suspension/permanent exclusion.

- X. The governing board has a key responsibility to consider whether pupils should be reinstated.
- XI. The governing board must consider and decide on the reinstatement of a suspended or permanently excluded pupil within 15 school days of receiving notice of the permanent exclusion or suspension if:
 - it is a permanent exclusion;
 - it is a suspension for a serious incident but where a permanent exclusion is not necessary. In this situation a pupil may be suspended for up to 15 school days, this would require a PDC.
 - it is a suspension which would bring the pupils' 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.
- XII. For suspensions where a pupil would be suspended for more than 5 days but less than 16 school days in a term, 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.
- XIII. Where the suspension or permanent exclusion would result in a pupil missing a public examination or national curriculum test, the governing board 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 may consider the suspension or exclusion alone.
- XIV. The following parties must be invited to the meeting of the governing board (Pupil Disciplinary Committee) and be allowed to make representations or share information:
 - Parents (and where requested, a representative or friend)
 - The pupil
 - The headteacher
 - A representative of the local authority
 - The child's social worker if they have one

- The VSH if the child is LAC
- XV. The governing board must consider any representation by parents where the total number of days suspension in a term is less than, BUT it cannot direct reinstatement and is not required to arrange a meeting with parents.
- XVI. Taking into account the pupil's age and understanding, the pupil or their parents should be made aware of their right to attend and participate in governing board meetings and the pupil should be enabled to make a representation on their own behalf if they wish to.

5. The governing board's duty to notify the outcome from the Pupil Disciplinary Committee

- XVII. Following the Pupil Disciplinary Committee the governing body must notify parents, the headteacher, the local authority and where relevant the pupil's social worker and/or the VSH of its decision and the reasons for it, in writing and without delay.
- XVIII. Where the decision is to permanently exclude a pupil, the notification must state that the exclusion is permanent and provide the parents' with details of their right to ask for the decision to be reviewed by an Independent Review Panel (IRP) including the timescales and processes required for this.

6. Police involvement and parallel criminal proceedings.

- XIX. The headteacher need not postpone taking a decision on a suspension or permanent exclusion solely because a police investigation is underway and/or any criminal proceedings may be brought. The headteacher will need to take a decision on the evidence available to them at the time.
- XX. Where evidence is limited by a police investigation or criminal proceedings, the headteacher should consider any additional steps they may need to take to ensure the decision to suspend or permanently exclude is for the headteacher to make.
- XXI. Where the governing body are required to hold a Pupil Disciplinary Committee to consider a reinstatement in these circumstances, it cannot postpone its meeting and must decide whether to reinstate the pupil on the evidence available.

FPHS SUSPENSION AND PERMANENT EXCLUSION PROCESS

Grounds for suspension or permanent exclusion

Each suspension/exclusion must be considered individually but in the context of the school's Compelling Behaviour Policy. Each decision will be made based on evidence provided through a logical and supportable behaviour strategy.

Suspension is used in most cases for;

- Persistent breaches of the school's Compelling Behaviour Policy where other support plans/sanctions are showing no effect.
- A first serious offence
- Where the welfare of other pupils, staff, or the pupil themselves is at risk
- When the behaviour of the pupil outside school can be considered as grounds for suspension.

A pupil may be suspended for one or more periods up to a maximum of 45 school days in an academic year.

Permanent Exclusion is not a decision that is taken lightly. It will usually be the final step in a process of behaviour management strategies that have shown no positive effect. The decision to permanently exclude a pupil will be taken only in response to serious breaches of the school's compelling behaviour policy and where allowing the pupil to remain in school would seriously harm the education and welfare of the pupil or others in the school.

There will, however, be exceptional circumstances where the headteacher will judge it appropriate to permanently exclude a pupil for first or "one-off" incident. These may include:

- Serious actual or threatened violence against a pupil or member of staff
- Sexual abuse or assault
- Supplying illegal drugs
- Carrying an offensive weapon.

Where a criminal offence has taken place FPHS will also consider whether or not to inform the Police and/or other agencies e.g. Youth Offending Team, Social Workers.

Decision making

A decision to exclude must be lawful, reasonable, fair, rational and proportionate. To ensure the headteacher can make a fully informed decision the following procedure must be followed.

When a pupil behaves in a way that is in contravention of the school's Compelling Behaviour Policy that the Head of Year, or other senior member of staff, feels justifies a suspension or permanent exclusion this should be discussed with the Assistant Headteacher Compelling Behaviour.

1. The AHT – Compelling Behaviour considers the incident and decides if a suspension/permanent exclusion consideration should be completed or whether an alternative sanction and/or intervention is more appropriate.
2. If the AHT does agree that a suspension/permanent exclusion consideration is required then the Head of Year completes the paperwork see **Appendix A**
3. Paperwork is returned to AHT – Compelling Behaviour to quality assure before being passed to the Headteacher's PA for the headteacher to review and make a decision.

Informing parents and other parties of decision to suspend or permanently exclude

1. Once the decision has been made to suspend or permanently exclude a pupil the Head of Year must notify parents immediately.
2. If the pupil has a social worker or is a Looked after Child they must also, without delay inform the Safeguarding Officer who will notify the relevant social worker and or VSH.
3. The Head of Year must agree the time and date of the reintegration meeting with the parents and added to the suspension consideration paperwork before being passed to the Pastoral Officer.
4. The Head of Year informs all teachers of pupil who then must arrange for work to be made available on google classrooms for the duration of the suspension (or first five days whichever is longer)
5. The Pastoral Officer then
 - I. Produces letter to send to parents
 - II. Records information on SIMs which in turn will inform the LA
 - III. If the suspension is for more than 5 days, or would take the total days the pupil is suspended in current term to more than 15 days the Pastoral Officer will also inform the Chair of Governors.
 - IV. If the decision is to permanently exclude a pupil the Pastoral Officer will inform the Chair of Governors and LA within 24 hours and will start to make arrangements for the Pupil Disciplinary Committee.

Arranging education for pupil's suspended for more than 5 consecutive days

1. If a pupil is suspended for more than 5 days, or has consecutive suspensions which would take their total days suspended to more than 5 days arrangements must be made for suitable full-time education for the pupil.
2. If the headteacher has made the recommendation to permanently exclude a pupil, the Local Authority is responsible for arranging alternative provision from the 6th day.

Reintegration and monitoring following suspension.

Following any suspension parents/carers (and where relevant social workers and VSH) will be invited to a reintegration meeting. We will endeavour to ensure that all meetings fall on the first day back in school before registers close so as not to have a negative impact on attendance.

If a parent/carer does not attend the meeting, then the reintegration meeting will still take place. The Head of Year will telephone the parent/carer to explain that the meeting will be taking place and they will be sent copies of any agreements made.

Reintegration meetings will be carried out by:

Head of Year	Following the first/second suspension in an academic year
Director of Key Stage	Following 3 suspensions within an academic year
Assistant Head Teacher	4 or more suspensions within an academic year.

During this reintegration meeting strategies and interventions will be discussed and agreed on to monitor pupil's behaviour and provide any support agreed necessary.

A reintegration support plan is completed with clear actions and timeframes for monitoring.

Monitoring process agreed (review of register points/attendance; target book; behaviour contract; PSP etc.)

This must be reviewed after two weeks. With the final review not exceeding 6 weeks following the reintegration meeting. Review paperwork alongside consideration paperwork to avoid duplication of work).

If all action points not satisfactorily met following 6 wk. period then a referral will be made to the LA Behaviour Improvement Panel

Permanent Exclusions

If a pupil is at risk of permanent exclusion an Equality Impact Analysis must be completed prior to any decision being made by the Headteacher. **APPENDIX B**

Once the headteacher has completed a recommendation for permanent exclusion the Pastoral Officer will:

- Support the AHT to complete the online notification form for the Local Authority, THIS MUST BE DONE ON THE FIRST DAY OF THE PERMANENT EXCLUSION.
- Arrange a suitable date/time for the Pupil Disciplinary Committee
- Inform parents and all other parties of the date/time of the PDC
- Co-ordinate the collation and distribution of all relevant paperwork, to be circulated to all parties at least 5 school days prior to the PDC.
- Following the PDC, notify all parties of the outcome and, if the permanent exclusion has been upheld, the parent(s)/carer(s) rights to appeal to IRP.

Marking registers

A permanently excluded pupil's name will remain on the register and should be marked with the appropriate register code.

Day 1-5 E code

From the 6th day (or before if advised) alternative provision should have been arranged (typically at Brownhill). If this has been confirmed D code (Dual registered – at another educational establishment).

The Attendance Officer or nominated person will contact the alternate provider daily and if the pupil has not attended will mark the register with the relevant absence code.

Removing permanently excluded pupil from roll

The pupil's name must be removed from the admission register when:

- 15 school days have passed since the parents were notified of the governing board's decision to not reinstate the pupil and no application has been made for an IRP or

- The parents have stated in writing that they will not be applying for an IRP.

To remove a pupil's name from the admissions register a Removal from roll form must be completed and signed by the headteacher or other member of SLT (see appendix xxx for form and details of process i.e. who/how/when)

SUSPENSION CONSIDERATION PAPERWORK



Suspension_Exclusi
on Consideration - I

IMPACT ANALYSIS FOR PUPILS AT RISK OF PERMANENT EXCLUSION



PUPILS AT RISK OF
PERMANENT EXCLUS