

St. Mary's Catholic Primary School



Suspension and Permanent Exclusion Policy

“With Christ as our guide, we let our light shine.”

Reviewed: February 2024

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Aims

Exclusions can be a worrying, upsetting and difficult time for pupils, parents and school staff. The school will endeavour to act in a way that is fair, proportionate, with consideration to the best intentions of the pupil concerned, other pupils and members of staff and the school. At St Mary's, it is our policy to deal with all behavioural issues in a proactive, positive way, employing a wide range of strategies, including those specifically designed to avoid such issues reaching the point of exclusion. A pupil would only be suspended or excluded when he/she has breached the School Behaviour Policy seriously or persistently.

This policy is written to be compliant with the Department for Education's Suspensions and Permanent Exclusion guidance (Sept 2022) and the non-statutory government guidance Behaviour in Schools (Sept 2022). It also takes account of our public sector equality duty set out in section 149 of the Equality Act 2010.

Purpose of this policy

This policy is designed to briefly outline the school's approach to exclusions within the statutory framework. It outlines only where the school applies its own additional guidance and policies, which complement and reinforce the statutory guidance, for purposes of clarity in the day-to-day operation of the school.

1. Principles

1.1. As a school we feel it is important to promote a caring and supportive environment to enable all members of the school community to feel safe, respected and, therefore, promote good behaviour in others.

1.2. The development of personal qualities and social skills and the fostering of socially acceptable behaviour are an integral aspect of the school curriculum.

1.3. Exclusion is a sanction used by the school only in cases deemed as serious breaches of the School Behaviour Policy. A pupil may be at risk of an exclusion from school for:

- serious fighting
- verbal or physical assault of another pupil or adult;
- threatening/intimidating behaviour towards other pupils and/or adults;
- bullying behaviour including racism;
- use of derogatory language towards another pupil or adult;
- defiance towards any authorised adult in the school;
- damaging school or others' property;
- persistent and repetitive disruption of lessons and other children's learning;
- extreme misbehaviour, which is deemed outside the remit of the normal range of sanctions.

Definitions within this policy:

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

- Permanent exclusion – when a pupil is removed from the school permanently and taken off the school roll. This is sometimes referred to as an ‘exclusion’.
- Off-site direction – when a governing board of a maintained school requires a pupil to attend another education setting temporarily, to improve their behaviour.
- 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
- Parent – any person who has parental responsibility and any person who has care of the child.

Evidence of Poor Behaviour

1.4. In most cases, except for the most extreme, the Head teacher will have considered the following before making a decision about a suspension or exclusion:

- Verbal or written reports from members of staff
- Discussions with the pupils concerned
- Discussions with the parent/s of the pupils concerned
- The previous behaviour of the pupil and how the child has responded to previous sanctions (such as time in isolation, missed lunch times etc.)

Types of Exclusion

Fixed term Suspensions can only be authorised by the Headteacher, or Deputy Head, acting on their behalf. Where a suspension is of five or fewer days the school will expect parents to assume responsibility for an excluded child during school hours. Where a suspension is of six or more days the school will assume responsibility for ensuring the child receives an appropriate education from the sixth day. Arrangements will be made on a case by case basis, the most common arrangement involving a temporary placement in a neighbouring school.

In the case of a Permanent Exclusion this can only be authorised by the Headteacher and must only be done after consulting the Chair of Governors of the intention to impose this sanction, although the final decision rests with the Headteacher of the school. The Headteacher may notify the Education Director and seek Trust legal advice where any potential suspension or permanent exclusion involves a child with special educational needs or a disability (SEND), or a looked-after or previously looked-after child, or for any exclusion where the circumstances are particularly complex.

How will a decision to exclude a child from school be made?

The Headteacher can suspend or permanently exclude a pupil from school on disciplinary grounds. The decision can be made in respect of behaviour inside or outside of school. The headteacher will only use permanent exclusion as a last resort.

A decision to permanently exclude a child will only be taken:

- In response to a serious breach, or persistent breaches, of the school's behaviour policy; and
- Where a child's behaviour means that allowing the child to remain in school would seriously harm the education or welfare of the child or others in the school.

The head teacher reserves the right to permanently exclude a student for a serious one-off offence. This may include (but is not limited to):

- Acts of Violence
- Threatened Violence
- Being in possession of, bringing onto the school site, supplying, dealing or using illegal substances or any related paraphernalia
- Carrying an offensive weapon
- Any act which puts at risk the health and safety of anyone in the school.

When establishing the facts in relation to a possible exclusion, the Headteacher will always apply the 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.'

The Headteacher's decision will always be:

- Lawful
- Rational
- Reasonable
- Fair
- Proportionate

Before issuing a suspension or permanent exclusion, the Headteacher will consider the following:

- **Investigation and evidence:** Ensure that a thorough investigation has been carried out and consider all the relevant facts and evidence on the balance of probabilities, including whether the incident(s) leading to the exclusion were provoked. As per the school's Behaviour Policy, the Headteacher may consider the behaviour of a child outside school as grounds for an exclusion.
- **Child voice:** Allow and encourage the child to give their version of events. The Headteacher will give the child an opportunity to present his or her case, considering their age and understanding, before taking the decision to exclude unless it would not be appropriate to do so. Children who need support to express their views will be allowed support of an advocate, such as a parent /carer or social worker.
- **Vulnerable child:** Find out whether the child comes into a category that is known to be a particularly vulnerable or disadvantaged group e.g. children with SEND, free school meal (FSM) children; looked after children; children with a social worker; certain ethnic groups (for example traveller children); and consider whether all supportive and preventative strategies have been fully utilised.
- **SEND:** Where a child has any SEND, the Headteacher will consider if any reasonable adjustments need to be made and ensure the child has been provided with adequate support, considering whether any further support can be provided. The Headteacher will seek to understand the underlying cause of the behaviour and consider whether the child's SEND influenced their behaviour and if it did, whether it is still appropriate to issue the/a sanction.
- **Social worker/VSH:** Where a student has a social worker or a Virtual School Head (VSH), the Headteacher will ensure they and, as appropriate, any parents; the Designated Safeguarding Lead; and the designated lead for Looked-After Children are involved as early as possible in relevant conversations.
- **Consider alternatives:** Consider whether all relevant initial intervention strategies set out in the [Behaviour in Schools](#) guidance and alternative solutions have been explored, including a managed move.

- **Mitigating circumstances:** Take into account, possible short-term mitigating circumstances such as bereavement, mental health issues etc.
- **Safeguarding:** Consider whether there are any safeguarding concerns and whether the Designated Safeguarding Lead should be consulted.

The Headteacher will not:

- Exclude any child for non-disciplinary reasons.
- Use exclusion informally or unofficially: children will not be sent home to 'cool off' even with parents' permission. Any exclusion, even for short periods of time, must be formally recorded.
- Extend or 'convert' a suspension into a permanent exclusion. In exceptional cases, usually where further evidence has come to light, a further suspension may be issued to begin immediately after the first suspension; or a permanent exclusion may be issued to begin immediately after the end of the suspension.

Lunchtime Suspensions

A suspension can be for parts of the school day. For example, children whose behaviour at lunchtime is disruptive may be suspended from the school premises for the duration of the lunchtime period. In such cases the legal requirements in relation to suspensions, such as the Headteacher's duty to notify parents, still apply.

Lunchtime suspensions are counted as half a school day for statistical purposes and in determining whether a Local Governing Body meeting is triggered.

Notification of an Exclusion

- I. The pupil who has been excluded will have the reason for his/her exclusion explained to them by either the Head teacher, so that they understand the nature of their misbehaviour and why it is unacceptable.
- II. If an incident takes place at the end of the school day or after school that day, the parents of the pupil will be contacted and a meeting with the parents and pupil will be arranged for the next morning to investigate the incident and provide the pupil with an opportunity to discuss what took place and why before a decision to exclude is made.
- III. The parents will be notified as soon as possible of the decision to exclude and the reasons for the exclusion. The evidence leading up to the decision will be explained.
- IV. This will be done on the day of the exclusion being authorised by either direct phone contact or a face-to-face meeting.
- V. A written confirmation of the reason(s) for the exclusion will be sent to parents the same day, outlining the reasons for the decision, the date upon which the pupil will be allowed back into school, the procedures for appeal which are open to the parents.
- VI. In the case of a Permanent Exclusion parents will be notified by the Head teacher in a face-to-face meeting.
- VII. The Chair of Governors will be informed, and a copy of the letter to parents made available.
- VIII. The school administrator will record the nature and length of the exclusion on the schools BROMCOM system
- IX. The exclusion will be reported to the next Full Governing Body meeting.
- X. Work will be set for the pupil to complete at home during a fixed-period suspension. This will be made available to the parents on the morning following a suspension.

During the first five days of a suspension

During the first five days of a suspension, if the child is not attending alternative (AP) provision, the Headteacher will take steps to ensure that achievable and accessible work is set and marked for the child. Online pathways such as Microsoft Teams or Oak Academy may be used for this.

If the child has a special educational need or disability, the Headteacher will make sure that reasonable adjustments are made to the provision where necessary.

If the child is looked after or if they have a social worker, the school will work with the Local Authority to arrange AP from the first day following the suspension or permanent exclusion. Where this is not possible, the school will take reasonable steps to set and mark work for the child, including the use of online pathways.

For a suspension of more than five school days

If a suspension is more than five school days, the school will arrange suitable full-time education for the child to begin no later than the sixth day of the exclusion. However, the school will attempt to start this provision as soon as possible.

Where a child receives consecutive suspensions, these are regarded as a cumulative period of exclusion for the purposes of this duty. The school's duty to arrange education from the sixth day of a suspension is triggered by consecutive fixed-term exclusions totalling more than five days, regardless of whether this is as a result of one suspension or more than one suspension.

For Permanent Exclusions, the Local Authority has responsibility for arranging suitable full-time education for the child.

Managed-Move

A child can transfer to another school as part of a 'managed move' with the consent of the parties involved, including the parents and the admission authority of the school. Alternatively, the school may organise for the child to spend some or all of their suspension time at a partner school, again with the consent of all parties

Off-site Direction

Schools may direct children for off-site for education through an alternative provider, such as a Pupil Referral Unit, to improve their behaviour.

If alternative provision is being arranged, the following information will be included when notifying parents of a fixed-term exclusion:

- The start date for any provision of full-time 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.
- Any information required by the child to identify the person they should report to on the first day.

Reintegration meeting

All children returning from a suspension are required to attend a re-integration meeting, accompanied by a parent, a member of senior staff, and any other relevant staff; The meeting can proceed without the parents in the event that they cannot or do not attend.

The meeting will seek to establish practical ways in which further exclusion can be avoided and behaviour modified to acceptable standards in partnership between pupil, parent and school. The aim is that the child will be able to return to school and that further input will promote in him/her a more positive attitude and a subsequent improvement in behaviour.

During the meeting the school will explain the reintegration strategy to the child, and communicate that they are getting a fresh start and that they are a valued member of the school community.

The re-integration meeting will outline the intervention and support being put in place to support the child to enable access to school and education, as well as any support being provided to the parents or commitment required to support the process.

A record of the meeting and signed re-integration form will be kept, a copy of which will be shared with parents.

Permanent Exclusions

A school will usually only permanently exclude a child as a last resort, after trying to improve the child's behaviour through other means. However, there are exceptional circumstances in which a headteacher may decide to permanently exclude a child because of ongoing issues or even for a 'one-off' incident.

If a child has been permanently excluded the school's governing body is required to review the headteacher's decision and parents may meet with them to explain their views on the exclusion.

The role of the governing body

Responsibilities regarding reviewing exclusions are delegated to the school's Local Governing Board (Local Academy Committee)

It has a duty to consider the reinstatement of a suspended or permanently excluded child within 15 school days of receiving the notice of the exclusion if:

- the exclusion is permanent;
- it is a suspension which would bring the pupil's total number of school days of exclusion to more than 15 in a term;
- it would result in a pupil missing a public examination

Appeals

All correspondence regarding an exclusion from the school will inform parents of their right to appeal to the governing body against the decision to exclude. This procedure is clearly set out in the statutory guidance. The person who should be contacted to initiate an appeal is the Clerk to the Governors. The Local Academy Committee (LAC) has a duty to consider parents' representations about a suspension or permanent exclusion.

If requested to do so by parents, a LAC panel will also hear representation to consider the reinstatement of an excluded child. The panel can either:

- decline to reinstate the pupil, or
- direct the reinstatement of the pupil immediately, or on a particular date.

In reaching a decision, the panel will consider whether the exclusion was lawful, reasonable, and procedurally fair and whether the Headteacher followed their legal duties. They will decide whether or not a fact is true 'on the balance of probabilities', which differs from the criminal standard of

'beyond reasonable doubt', as well as any evidence that was presented in relation to the decision to exclude.

Minutes will be taken of the meeting, and a record of evidence considered kept. The LAC will notify, in writing, the Headteacher, parents, the LA (and where relevant the social worker and VSH) of its decision, without delay. The LAC should set out the reasons for its decision in sufficient detail to enable all parties to understand why the decision was made.

Where an exclusion is upheld by the LAC, the letter will also include the following:

- The fact that it is a permanent exclusion.
- Notice of parents' right to ask for the decision to be reviewed by an Independent Review Panel.

Independent review panel

Applications for an independent review must be made by the parents within 15 school days of notice being given to the parents by the LAC of its decision to not reinstate a pupil. If parents apply for an independent review, the Clerk to the Local Governing Body will arrange for an independent panel to review the decision of the LAC not to reinstate a permanently excluded pupil.

The independent panel will decide one of the following:

- Uphold the Local Academy Committee's decision.
- Recommend that the Local Academy Committee's reconsiders reinstatement.
- Quash the Local Academy Committee's decision and direct that they reconsider reinstatement (only when the decision is judged to be flawed).

Monitoring of Policy

The impact of this policy will be reviewed by the headteacher and senior leadership team, using data to consider the following:

- Attendance and punctuality
- Internal sanctions, and suspensions and permanent exclusions
- Stakeholder surveys on their perceptions and experiences around behaviour
- Analysis of data considering perspectives such as, age group, time of day/week/term, protected characteristic

The data will be analysed every term and reported back to the headteacher. The school will use the results of this analysis to make sure it is meeting its duties under the Equality Act 2010. If any patterns or disparities between groups of pupils are identified by this analysis, the school will review its policies in order to tackle it.

The headteacher will make a termly report to the Local Academy Committee on all key data and information relating to suspensions and permanent exclusions, covering:

- punctuality and attendance figures
- the number and type of exclusions
- context around the suspension or permanent exclusions, e.g. gender, ethnicity, and age of child and whether they were already on Individual Education Programmes or Pastoral Support Programmes

Links to other school policies

The Suspension and Permanent Exclusion Policy should be read in alongside with the Behaviour and Rewards Policy.

Other relevant Trust and School Policies include:

- Equality Policy
- Attendance Policy

Appendix A



Post Exclusion Re-admittance Form

Child: _____ Parent: _____

Staff: _____

I agree to be Ready, Respectful and Safe.

Ready:

I promise to show my teachers I am ready to learn by focusing in lessons and following instructions.

Respectful:

I promise to speak respectfully to those around me.

I promise to treat the environment around me with respect.

Safe:

I promise to act in a way that means that I am safe and that everyone around me is safe.

Signed: _____

Parent Comment:

Signed: _____

School Comment:

Signed: _____