



Suspensions and Exclusions Policy

Reviewed September 2023
Next review due September 2024

Preston Primary Academy Trust Suspension and Exclusion Policy

This policy has been written with the underlying principles of a Church of England school, which applies to Preston C of E Primary School and North Cadbury C of E Primary School.

Statement of Intent

Preston Primary Academy Trust believes that all members of our school communities should be able to learn and achieve their full potential in a safe, secure, and orderly environment.

Our schools' behaviour policies are based on our belief in, and respect for, the value and contribution of all members of our community and their right to succeed. They are applied with consistency and fairness, with regard to each individual situation. Pupils who experience particular difficulties with behaviour receive behavioural support according to their need. The emphasis is on encouraging positive behaviour through high expectations; a focus on learning; and praise and rewards.

However, the Trust recognises that on occasions sanctions are necessary to demonstrate that misbehaviour is not acceptable; to express the disapproval of the school community and to deter other pupils from similar behaviour. These sanctions could include the suspension, and exclusion of pupils where there has been a serious breach, or consistent breaches, of the school's Behaviour Policy. Suspending or excluding a pupil may also happen in instances where allowing the pupil to remain in school would be damaging to the education and welfare of themselves or others. In all cases, the Trust believes suspending or excluding pupils should only be used as a means of last resort and because of our focus on positive behaviours and the opportunities for pupils to learn from their mistakes, we expect lower than the national average rates of suspension and exclusion.

Definitions

A "**suspension**" is defined as the temporary removal of a pupil from the school for behaviour management purposes. 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. If a pupil has been suspended for 45 school days in a school year, the school cannot issue any further suspensions. It can only issue an exclusion.

An "**exclusion**" is defined as the permanent removal of a pupil from the school, in response to a serious breach or persistent breaches of the school's Behaviour Policy, and where allowing the pupil to remain in school would seriously harm the education or welfare of the pupils or staff in the school.

Legal Framework

This policy has due regard to all relevant legislation including, but not limited to, the following:

- Education Act 1996
- Education Act 2002
- Education and Inspections Act 2006
- The Education (Provision of Full-Time Education for Excluded Pupils) (England) Regulations 2007
- Equality Act 2010
- The School Discipline (Pupil Exclusions and Reviews) (England) (Amendment and Transitional Provision) Regulations 2023
- The European Convention on Human Rights (ECHR)

This policy also has due regard to statutory and non-statutory guidance, including, but not limited to, the following:

- DfE (2023) 'Suspension and Permanent Exclusion from maintained schools, academies and pupil referral units in England, including pupil movement'.
- DfE (2022) 'Behaviour in Schools'
- DfE (2015) 'Special educational needs and disability code of practice: 0 to 25 years'
- DfE (2018) 'Mental health and behaviour in schools'

It operates in conjunction with the following Trust and school policies:

- Behaviour Policy
- Special Educational Needs and Disabilities (SEND) Policy
- Child Protection and Safeguarding Policy

The Suspension and Exclusion Process

Only the Head teacher (or in their absence the acting Head teacher) can suspend or exclude a pupil and the decision should always be done after careful consideration of all the relevant facts and circumstances.

The Head teacher will only suspend or exclude a pupil where it is absolutely necessary, and where all other possible disciplinary sanctions, as detailed in the school's Behaviour Policy, have failed to be successful.

The following examples of behaviour may warrant the decision to suspend or exclude a pupil:

- Physical assault against a pupil
- Physical assault against an adult
- Verbal abuse or threatening behaviour against a pupil
- Verbal abuse or threatening behaviour against an adult

- Use, or threat of use, of an offensive weapon or prohibited item
- Bullying
- Discriminatory abuse.

In cases where suspension or exclusion is considered the following process will be followed:

- The child is removed from any area where he/she could harm him/herself or others.
- No decision will be made until the Head Teacher interviews the child to hear their versions of events and consider their views. The headteacher will inform the child of how their views are taken into account when making their decision.
- If the decision is to suspend or exclude, the Head Teacher will contact the child's Parents or Guardians without delay, to give a brief explanation of the difficulties and notify that they must collect their child from school either immediately or at a fixed time. The length of the intended suspension or exclusion is clearly stated verbally to the Parents or Guardians.
- On behalf of the Head Teacher, the School Office will prepare and send, without delay, the formal suspension or exclusion letter to parents.
- The Head Teacher will, without delay, inform the Local Governing body (LGB) of
 - any exclusion, including when a suspension is followed by a decision to permanently exclude a pupil.
 - Any suspension or exclusion which would result in the pupil being suspended or excluded for a total of more than 5 school days (or more than 10 lunchtimes) in a term.
 - Any suspension or exclusion which would result in the pupil missing a National Curriculum test or public exam.
- If the child has a social worker or is a child looked after, the Head Teacher will, without delay, inform the pupil's social worker or the Virtual School Head (VSH) as appropriate.
- The Head Teacher will, without delay, inform the local authority of any suspension or exclusion regardless of the length of the suspension or exclusion.
- The school has a duty to provide education during the first 5 days of a suspension. Work will be prepared and sent home by the child's Class Teacher. Where a child is given a suspension of a duration of six days or longer, the school has a duty to arrange suitable full-time educational provision from and including the sixth school day of exclusion. This will happen in consultation with the Support Services

A suspension can 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. The legal requirements relating to the suspension, such as the Head Teacher's duty to notify parents, apply in all cases. Lunchtime suspensions are counted as half a school day in determining whether a local governing body meeting is triggered.

Cancelling suspensions and exclusions

The Head Teacher may cancel a suspension or an exclusion that has already begun but this may only be done where it has not yet been reviewed by the local governing body.

All parties informed of the suspension must be notified, without delay, of this decision and the pupil allowed back into school without delay. Any time spent out of schools as the result of a cancelled suspension or exclusion will count towards the maximum of 45 school days permitted in a school year.

Reintegration- returning from suspension.

- On the child's return to school, the Head teacher (or in their absence the acting Head teacher) will meet with the child and the Parents/Guardians to discuss the design of the reintegration strategy to offer the child a fresh start and to establish the need for appropriate behaviour in reference to the school's Behaviour Policy.
- A child will not be prevented from returning to a mainstream classroom if parents are unable or unwilling to attend a reintegration meeting.
- Where necessary, the school will work with relevant staff and multi-agency organisations, such as teachers, pastoral staff, mentors, social workers, educational psychologists, or the safer schools team, to identify if the Child has any SEND and/or health needs.
- The reintegration strategy may include a Pastoral Support Plan (PSP). A PSP plan is for children who are at risk of further suspensions or permanent exclusion.

Responsibilities of the Local Governing Body (LGB)

The LGB will monitor the number of suspensions and exclusions and the number of cancellations of suspensions and exclusions once per term.

The Trust Board has delegated authority to the LGB, or a panel of 3 members of the LGB to consider and decide on the reinstatement of a suspended or an excluded child within 15 school days of receiving notice of a suspension or exclusion from the headteacher if:

- it is a permanent exclusion.

- it is a suspension which would bring the pupil's total number of school days out of school to more than 15 in a term; or
- it would result in the pupil missing a public examination or national curriculum test.

The LGB is also delegated to hear parental representations in cases when a child has been suspended for more than 5 but less than 16 school days in a term. Where the child has been suspended, and the suspension does not bring the pupil's total number of days of suspension to more than 5 in a term, the LGB is delegated to consider any representations made by parents. However, it is not required to arrange a meeting with parents, and it cannot direct the headteacher to reinstate the pupil.

Governor Meetings (Panels) to consider Suspensions and Exclusions

Suspensions of 15+ days

The Clerk should secure from the Head teacher the following:

- PSP or IEP
- Log of incidents
- Copy of any professional reports
- Any other relevant information
- School assessment test results
- Most recent School report
- If the pupil is in KS1, Foundation Profile, School Entry Plan, Boxall Profile

The Clerk should also invite the parents to submit written information for the governors to consider.

The Clerk must then check the availability of the Head teacher, relevant governors, Parents/Guardians, and the child's social worker, if they have one and the VSH, if the child is looked after for the review meeting. This must take place between the 6th and 15th school day following notification from the Head teacher. The meeting should be at a time and place convenient to all parties. Parents may request the meeting to be held remotely. Social workers and VSHs may join the meeting remotely regardless of the format chosen by the parents.

If the suspension or exclusion would result in the pupil missing a national curriculum test, the meeting should take place before the date of the test.

Witness Statements

The Head teacher should, where appropriate, keep written records of the actions taken, including any interview with the pupil concerned.

Permanent Exclusion

When a permanent exclusion is notified to the LGB, the Clerk must secure the following information from the Head teacher:

- Any information in support of the decision to exclude.
- A summary of the strategies and interventions used to try to prevent permanent exclusion.
- Copies of PSP and IEPs for the pupil over the past 12 months
- A log of incidents
- Attendance record
- Copies of reports from the Support Services
- Behaviour Policy
- School assessment results
- Copy of the most recent School report
- If the pupil is in KS1, information from Foundation Profile, School Entry Plan, Boxall Profile
- Relevant information about the pupil's home circumstances.
- Relevant information regarding SEN, disability, or medical conditions
- Witness statements

The Clerk should also invite the parents to submit written information for the governors to consider.

The Clerk must then check the availability of the Head teacher, relevant governors, Parents/Guardians, and the child's social worker, if they have one and the VSH, if the child is looked after, for the review meeting. This must take place between the 6th and 15th school day following notification from the Head teacher. The meeting should be at a time and place convenient to all parties.

The Clerk will collate and forward the information to the LA where a Pupil Support Casework Officer will be allocated.

The LGB will comply with the statutory time limits set out in the [statutory guidance](#). They may ask the LA Officer for advice but must make their decision alone. A note of the LGB's views on the exclusion will be placed on the Pupil's School Record with copies of the relevant papers. The Clerk will take detailed

minutes, bearing in mind the parental right to appeal. A copy will be required if this goes to Independent Appeal.

The LGB will inform the Parent and Head teacher of its decision in writing no more than one day from the hearing, stating the reasons.

The LGB will not attach conditions to any direction it may give to the Head teacher to reinstate the pupil.

Where the LGB decides to uphold the permanent exclusion, its letter to the Parent/Guardian will include the following information:

- The reason for the decision
- Their right to appeal to an Independent Appeal Panel, together with the name and address of the person to whom any notice to appeal should be sent.
- The date by which the appeal should be lodged.
- That any notice of appeal must set out grounds on which the appeal is made
- That any claim on grounds of disability discrimination can also be set out in the notice of appeal

