

POLICY

For

Suspension and Permanent Exclusion

September 2016	September 2019	September 2022
January 2018	September 2020	September 2023
September 2018	September 2021	September 2024
September 2025		

Striving for excellence, caring for all
Within a loving and caring Christian environment.

As a RRS (Rights Respecting School – UNICEF) this upholds the following articles from the UNCRC (United Nations Convention on the Rights of the Child):
Article 2: Everyone has equal rights whatever their race, religion, ability, whatever they think or say or whatever their family.
Article 3 The best interests of the child must be as top priority in all actions concerning children.
Article 28: Every child has the right to an education.
Article 29: Every child has the right to be the best they can.

"***Let all that you do be done in love" 1 Corinthians 16:24***

Our Academy Vision

We are a community in which everyone is offered the opportunity to fulfil their full potential, to understand themselves and be valued for who they are. Through a stimulating and challenging learning environment, we pursue academic excellence and seek the flourishing of all. This is because we know we are all God's children.

"Do all the good you can, by all the means you can, in all the ways you can, in all the places you can, at all the times you can, to all the people you can, as long as you ever can."

John Wesley

Rationale

This policy deals with the policy and practice which informs the Academy Trust's use of suspension and permanent exclusion. It is underpinned by the shared commitment of all members of the Trust community to achieve two important aims:

1. The first is to ensure the safety and well-being of all members of the Trust community, and to maintain an appropriate education environment in which all can learn and succeed, in a safe, calm and supportive environment

2. The second is to realise the aim of reducing the need to use suspension or permanent exclusion as a sanction.

This policy takes into account the guidance contained in the Lincolnshire Ladder of Behavioural Intervention (LLBI) which has been written with a view to reducing and preventing exclusions, the DfE guidance document 'Suspension and Permanent Exclusion for maintained schools, academies and pupil referral units in England, including pupil movement' (August 2024) and the DfE advice document 'Behaviour in School' (February 2024).

Introduction

Abbey Academies Trust is an inclusive Trust which aims to promote equality in all aspects of school life. The Trust takes a positive approach to encouraging good behaviour and recognises that discipline is essential to ensure that all pupils benefit from the opportunities provided during their time in school. Suspension or permanent exclusion is an extreme sanction and is only administered by the CEO/ Executive Headteacher or Headteacher. The decision to suspend or exclude a pupil will only be used as a last resort and will only be taken when all other routes and strategies of

support have been exhausted or, in the case of a serious single incident, after a thorough investigation. The following are examples of the types of circumstances that may warrant a suspension or permanent exclusion:

- Physical assault against a pupil or adult
- Verbal abuse of threatening behaviour against a pupil or adult
- Use, threat of use, of an offensive weapon or prohibited item that has been prohibited by a school's behaviour policy
- Bullying
- Racist abuse
- Abuse against sexual orientation or gender reassignment
- Abuse relating to disability
- Theft
- Sexual misconduct
- Arson
- Persistent or general disruptive behaviour
- Inappropriate use of social media or online technology.

This is not an exhaustive list and there may be other situations where the CEO/Executive Headteacher or Headteacher makes the judgement that suspension or permanent exclusion is an appropriate sanction.

Pupils will be encouraged to share their views of what happened, unless it would be inappropriate to do so. This could be done through advocates such as parents or a Social Worker, if the pupils has one and communication with parents/carers and other parties such as the Local Authority, the Virtual School and Social Workers will be a priority.

When establishing the facts in relation to a suspension or permanent exclusion decision the civil standard of proof i.e. 'on the balance of probabilities' rather than the criminal standard of 'beyond reasonable doubt' will be applied. This means that there will be an acceptance by the Trust that something has happened if it is more likely that it happened than it did not happen.

The practice of off-rolling where a pupil's name is removed from the register will not be condoned. Examples of this include, exercising undue influence upon a parent/carer to remove their child from the school under threat of permanent exclusion or encouraging them to use Elective Home Education or to find another school place.

Reducing and Preventing Suspensions and Permanent Exclusions

The Academy Trust will consider the following factors in order to aim to reduce and prevent suspensions and permanent exclusions.

For pupils **at risk**:
Step One

- Consideration of any unmet need whether this is educational or environmental. Possible support through our SEND process or through the completion of an Early Help Assessment. Assessment and the engagement of services from outside agencies will be undertaken where appropriate.
- Use of a Pastoral Support Plan

For pupils who have **not** responded to Step One
Step Two

- Targeted school-based support from Behaviour Outreach Support Service (BOSS)
- Consideration of Education, Health and Care (EHC) Plan if delegated funding has been used and advice from agencies exhausted
- Consideration of an early Annual Review, if the pupil has an EHC Plan

For pupils who have **not** responded to Step Two
Step Three

- Consideration of off-site direction – a temporary direction from the governing body where a pupil is required to attend another education setting to improve their behaviour. In Lincolnshire a common support strategy is to use a 16-week placement at a Teaching and Learning Centre. The pupil will continue to be dual registered.
- Consideration of a managed move – a permanent move to another mainstream school.

Lunchtime Suspension

Pupils whose behaviour at lunchtime is disruptive may be suspended from the school premises for the duration of the lunchtime period. This will be treated as a half-day suspension and parents/carers will have the same right to gain information and to appeal.

Behaviour Outside the School

Pupil's behaviour outside the school on school "business" for example school visits and journeys or 'away' school sports fixtures is subject to the Academy Trust's Behaviour and Bullying Policy. Poor choices of behaviour in these circumstances will be dealt with as if it had taken place in the school. Any decision must be reasonable, fair and proportionate.

Looked After Children/ Pupils with a Social Worker

Where a pupil has a social worker or is a child in care and they are at risk of suspension or permanently exclusion, or they have been given a suspension or permanent exclusion, the Virtual School and relevant Social Care professionals, as well as the DSL, will be informed of the decision and any arrangements for any governing body meeting as a matter of priority. This will allow all relevant parties to be involved in any consideration of needs and support and for this to take place in a timely manner.

Where previously looked-after children face the risk of being suspended or permanently excluded, the school should engage with the child's parents and the school's Designated Teacher.

Arrangements should be made for social workers and Virtual School Heads to join a governing body or Independent Review Panel meeting virtually as long as the governing body or arranging authority (for an IRP) are satisfied they will be able to participate effectively and their remote participation will not prevent the meeting being fair and transparent.

Pupils with special educational needs and/or disabilities

The school must take account of any special educational needs when considering whether or not to suspend or permanently exclude a pupil. We have a legal duty under the Equality Act 2010 to make reasonable adjustments for disabled pupils. This can,

in principle, apply to both the suspensions and permanent exclusion process and to the disciplinary sanctions imposed. This will include any support in relation to behaviour management that they need because of their SEN. The CEO/ Executive Headteacher or Headteacher should ensure that reasonable steps have been taken by the school to respond to a pupil's disability so the pupil is not treated less favourably for reasons related to the disability. 'Reasonable steps' could include:

• differentiation in the Trust's behaviour policy
• developing strategies to prevent the pupil's behaviour
• requesting external help with the pupil
• staff training

Contact will be made with the Local Authority and other relevant outside agencies about any behavioural concerns at an early stage to consider what additional support or alternative placement may be required. The school should consider requesting an early or interim/emergency review for those pupils with an Education Health Care Plan prior to making the decision to suspend or permanently exclude. For those pupils without and EHC plan, the school and external agencies, where appropriate, should review whether the current support arrangements are appropriate and what changes may be required.

Where reasonable adjustments to policies and practices have been made to accommodate a pupil's needs, suspension or permanent exclusion may be justified if there is a material and substantial reason for it. A specific incident involving order and discipline in the school may be such a reason.

Safeguarding, including child-on-child abuse

If there is an ongoing safeguarding investigation that may result in the permanent exclusion of a pupil or if a pupil has been reinstated following a governing body review, decisions will be made taking into consideration the school's duty to safeguard and support children and their duty to provide an education. Whilst school will work closely with outside agencies and partners, ultimately decisions will be made by the school on a case-by-case basis and the interests of the child should come first. See the Safeguarding and Child Protection Policy for more information.

General factors the school considers before making a decision to suspend or exclude

Suspension or permanent exclusion will not be imposed instantly unless there is an immediate threat to the safety of others in the school or the pupil concerned. Before deciding whether to suspend or permanently exclude a pupil the CEO/ Executive Headteacher or Headteacher will:

- Ensure appropriate investigations have been carried out
- Consider all the evidence available to support the allegations taking into account the pupil Behaviour and Bullying Policy and Equality Policy
- Allow, if possible, the pupil to give her/his version of events
- Check whether the incident may have been provoked for example by bullying or by racial or sexual harassment.
- Consider mitigating circumstances e.g. bereavement or bullying

In the case of a suspension, the child's return to school will be marked with a reintegration meeting, to which parents/carers will be invited, or with a more general welcome back to school for pupils who are too young or whose development/ understanding is such that a formal meeting would be counter-productive. The meeting will involve a member of the Senior Leadership Team and other staff where appropriate. The meeting will be positively focussed upon a reintegration strategy where a fresh start will be offered, alongside any adjustments or support that will be put in place. Pupils will be encouraged to understand the impact of their behaviour upon themselves and others and will be reminded of the behaviour expectations of the school. Staff will welcome the pupil back to school to reinforce their feeling of belonging to our school family. Consideration may be given to the use of a part-time timetable (but this must only be in place for the shortest period possible), a Pastoral Support Plan, Behaviour Plan or a request for the involvement of outside agencies to provide further advice or specialist support.

Suspension

A suspension may be used to provide a clear signal of what is unacceptable behaviour as part of the Trust's behaviour policy and show a pupil that their current behaviour is putting them at risk of permanent exclusion.

A pupil may be suspended for one or more fixed period up to a maximum of 45 school days in a single academic year. A suspension does not have to be for a continuous period. This should take into account any suspensions in previous schools. The suspension will be for the shortest time necessary. A suspension does not have to be for a continuous period.

The law does not allow for extending a suspension or 'converting' a suspension into a permanent exclusion. In exceptional circumstances, a further suspension may be issued to begin immediately after the first suspension ends; or a permanent exclusion may be issued to begin immediately after the end of the suspension.

The school will set and mark work during the first 5 days of suspension. For pupils with SEN or disabilities, legal duties, such as making reasonable adjustments, remain in force.

Exclusion

There are two main types of situation in which permanent exclusion may be considered:

- In response to a serious breach or persistent breaches of the school's behaviour policy
- 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

The school will set and mark work during the first 5 days of suspension where a pupil will not be attending alternative provision. Any appropriate referrals to support services will be considered.

The Local Authority will contact parents/carers to arrange to discuss the process, their rights and interim education for the child.

The Trust Board must meet within 15 school days from the date of the permanent decision to review the decision and to consider reinstatement. Parents/carers and the pupil will be invited to attend.

Where parents/carers dispute the outcome of the review panel, they can ask for this decision to be reviewed by an independent review panel.

A pupil will only be removed from the school register when the process is completed.

Communication with Parents and Other Bodies

Following suspension or permanent exclusion, parents/carers will be contacted immediately. They will be notified verbally of the period of the suspension and the reasons for it. Consideration should be given to factors such as how to communicate to ensure that parents can access and understand the information, including the scale/nature of the incident, any issues related to national curriculum tests

School will also provide parents/carers in writing the following information:

- 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 LGB and how the pupil may be involved in this
- parents' right to make a request to hold the meeting via the use of remote access and how and to whom to make this request. The Key Principles recorded in Annex A of the document Suspension and Permanent Exclusion from maintained schools, academies and pupil referral units in England, including pupil movement, should be followed
- how any representation should be made
- where there is a legal requirement for the LGB to consider the suspension or permanent exclusion, that parents have right to attend a meeting, to be represented at that meeting (at their own expense) and to bring a friend
- details of sources of impartial advice
- of the days on which the pupil should not be presented in a public place at any time during school hours
- where it can be reasonably found out within the timescales, details of any alternative provision arranged, including, the start date for any provision of any full-time education, the start and finish times of any provision, the address where this provision will take place, to whom the pupil should report on the first day
- where this information cannot be reasonably ascertained, it must be provided without delay and no more that 48 hours before the provision is due to start. The exception to this, is where alternative provision is to be provided before the sixth day, in which case the information can be provided with less than 48 hours' notice with parent's consent
- if a pupil is suspended again or subsequently permanently excluded, the CEO/Executive Headteacher or Headteacher must inform all relevant parties again.

If alternative provision is required, arrangements will be given where it can be reasonably found in the timescale. Where this is not possible, this information will be provided no later than 48 hours before provision is due to start.

This letter will either be delivered directly to the parents/carers, left at their usual or last known home address or posted to that address.

Without delay, the CEO/Executive Headteacher or Headteacher will inform the Trust Board and LGB of any suspension or permanent exclusion which would result in the pupil being suspended for a total of more than 5 days (or more than 10 lunchtimes) in a school term or any suspension which would mean that the pupil would miss a national curriculum test.

Without delay, the CEO/Executive Headteacher or Headteacher will ensure that the Local Authority is informed of all suspensions or permanent exclusions. If the pupil lives outside the LA area where the school is located, the school must inform the pupil's 'home authority'.

Cancelling Exclusions

The CEO/Executive Headteacher or Headteacher can cancel any exclusion that has been made or begun but this can only happen when the governing board has not yet met to consider whether the pupil can be reinstated. Where an exclusion is cancelled, the CEO/Executive Headteacher or Headteacher must:

- Notify the parents, the LGB, the LA and, where appropriate, the pupil's social worker and Virtual School Head. The notification must also provide the reasons for the cancellation
- The governing body does not have to hold a meeting to consider the reinstatement
- Parents should be offered the opportunity to meet with the CEO/Executive Headteacher or Headteacher to discuss the circumstances which led to the cancellation. This should be done without delay
- The pupil must be allowed back into school without delay
- Any days spent out of school prior to the cancellation will count towards the maximum 45 school days permitted in any school year.

A permanent exclusion cannot be cancelled if the pupil has already been excluded for more than 45 school days in a school year or if they will have been so by the time cancellation takes effect.

Managed Moves

Managed moves should be voluntary and with the agreement of all involved parties. For pupils with an EHC plan, the school should contact the LA prior to the managed move. The managed move should be part of a planned intervention and should occur after initial interventions have been carried out. There should be information sharing between the two settings.

Role of the CEO/Executive Headteacher or Headteacher

As well as the roles outlined above, the CEO/Executive Headteacher or Headteacher should ask the Chair of the LGB/ Trustees Board whether there are clear processes in place including, but not limited to:

- Ensuring that parents are aware of their right to consideration by the LGB
- Asking whether the LGB have taken steps to find a convenient date that the parents, other relevant parties, the LA representative (if appropriate) and the

CEO/Executive Headteacher or Headteacher can attend, within the legal time limits
- How to include the pupil in the process
- Collecting all relevant documents, anonymising them, where required, and providing them to all parties

The CEO/Executive Headteacher or Headteacher should inform the LGB about reinstatement and the correct timescales and whether reinstatement is dependent on receiving parental representations.

Role of the Trustees and Governors

For a suspension of more than 5 days, the local governing body must arrange suitable full-time education. This must begin no later that the 6th school day of the suspension. This is true if the 6th day is the result of a series of suspensions. If it is likely that the pupil will be asked to attend Alternative Provision, all efforts should be taken to ensure that this can happen prior to the 6th day. See above.

The Chair of Trustees should ensure that any AP provides education that is suitable and full time, including support for pupils with SEND. They should ensure that there is a process for monitoring pupil's attendance and behaviour at the provision and that the correct attendance code is being used. Finally, they should check that any safeguarding files and relevant information has been transferred to the AP as early as possible and is returned upon the pupil's transfer back to school.

The Trustees and Governors have established arrangements to review promptly all permanent exclusions from the school and all suspensions that would lead to a pupil being excluded for over 15 days in a school term or where the pupil would miss a national test (Appendix 1).

The Trustees and Governors have established arrangements to review suspensions which would lead to a pupil being suspended for over five days but not over 15 days in a school term where a parent/carer has expressed a wish to make representations. (Appendix 1).

The LGB panel will ensure that duties detailed in the document Suspension and Permanent Exclusion for maintained schools, academies and pupil referral unit in England, including pupil movement, with reference to the duty to consider an exclusion (pgs 35- 46), are fulfilled.

Remote Access

Parents can request a meeting to be held via the use of remote access but this should not be a default option.

A meeting should not be held remotely unless it is not reasonably practicable to do so in person for a reason related to extraordinary events or unforeseen circumstances such as an unforeseen school closure due to floods, fire or an outbreak of infectious illness/disease.

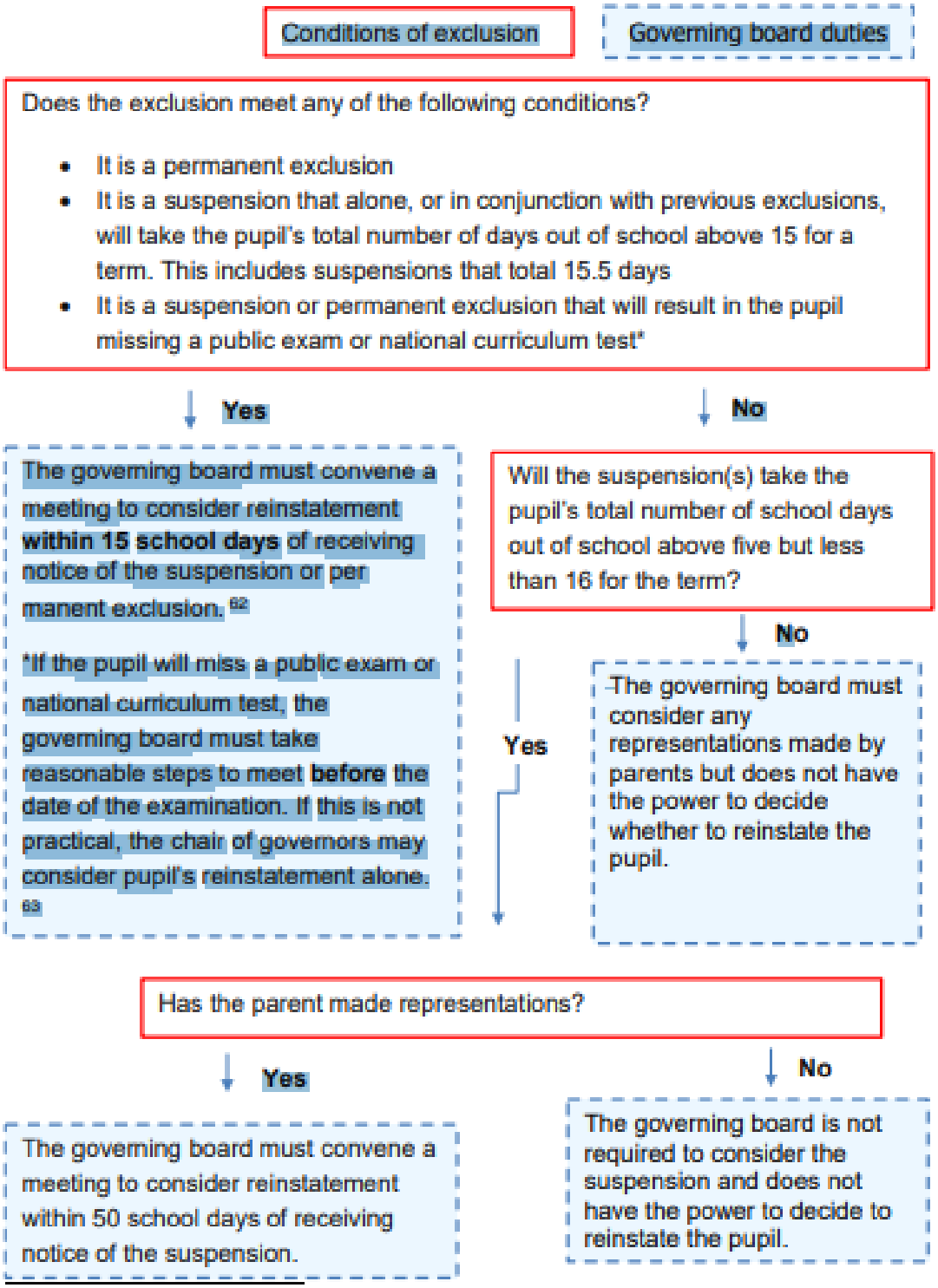
If a meeting is held with some or all participants joining remotely, and there are technological or internet network issues which compromise the ability for participants to be seen or heard or which prevent the meeting from being held fairly and

transparently and it is not reasonably practicable to resolve, a face to face meeting much be arranged despite the parents request and without delay.

Social workers and Virtual School Heads must be allowed to join remotely as long as the LGB is satisfied that they can hear/see and be heard/be seen throughout the meeting and their remote participation will not prevent the meeting being fair and transparent.

Appendix 1

A summary of the governing board's duties to consider reinstatement[61]



[61] Parents on diagram refer to parent if the pupil is under 18 or the excluded pupil, aged 18 or over.

[62] The governing board may delegate its functions to consider a suspension or permanent exclusion to a designated committee.

[63] The ability for a chair to review in the case of public exams refers only to maintained schools.