



The Laurels Primary School

Suspensions and permanent exclusions policy

2021-2023

Contents:

1. Underlying principles of this policy
2. Suspension as a sanction
3. Decision-making processes
4. Reasonable adjustments
5. The duration of suspensions
6. Communicating the decision to exclude with parents/carers
7. Other types of absence from school that are not suspensions
8. Information specific to permanent suspensions
9. Information sharing
10. Involvement of the Governing Body
11. Managed transfers
12. Challenging the decision to exclude
13. Monitoring, Evaluation and review
14. Policy review

1. Underlying principles of this policy

The Laurels Primary School is an inclusive school committed to equality of opportunity for all. We place the safety, wellbeing and education of our children at the centre of what we do and are committed to running a school where every child feels safe, happy and able to focus on their learning without distraction or disruption.

Where there are clear breaches of the school's behaviour expectations these will be addressed by staff. This policy deals exclusively with sanctions referred to as "suspensions" or "permanent exclusions". At a lower level, there is an extensive range of assessment, intervention and support available (as well as the teaching of consistent expectations through our behaviour curriculum) to try and pre-empt incidents of poor behaviour. Where possible, when expectations are not met, we use a graduated approach to the issuing of sanctions. However, there are occasions, where breaches of rules are sustained or are serious in nature, where using a suspension is deemed the most appropriate sanction.

The sanction system is in place to deter a child from repeating the same rule breaches/behaviours again.

There are three types of suspension covered within this policy. These are referred to as:

Internal suspensions where a child remains in school, but may work in a different classroom for a set duration. Children in internal suspension are supervised continually and have access to lesson work and for the duration of their sanction.

Suspensions where a child is not allowed to attend school for a specific period of time as a result of a serious or sustained breach of behaviour expectations. External suspensions may be issued when:

- actual / significant harm has been caused to the victim(s)
- the law has been breached
- the behaviour has placed others in school at risk of harm
- there have been repetitive behaviours displayed by a child (e.g. they have refused to follow instructions from multiple members of staff) and, as a result of the behaviour, there has been significant staff time wasted and/or the child has caused widescale disruption in school
- a child has repeatedly refused to comply with a lower-level sanction (this being in response to an earlier, smaller breach of the behaviour policy).

Permanent exclusion Where a child's behaviour (one of incident or culmination of multiple and significant issues) is so severe that they are not allowed to return to the school.

A key marker in the effectiveness of our school-wide approach to managing behaviour is that very few children ever reach the point where they are issued with a suspension or permanent exclusion.

Whenever a suspension or exclusion is issued the aim(s) is/are to:

- a) minimise short term risk to others/disruption to learning
- b) encourage and support a period of reflection from the child, requiring them to reflect and be able to articulate what they should have done differently, what the better choice in the situation would have been
- c) review any existing support in place for the individual child (for example a support plan if there is one in place), and consider any additional support/approaches/provision that will help the child upon their return to lessons
- d) Deter the child from any further breaches of school behaviour expectations.

2. Suspension as a sanction:

If a suspension is decided by the school to be the necessary sanction, the type and duration of this will be proportionate to the severity of the behaviour it is issued for. It is for the school alone to determine the appropriate sanction in response to a child's behaviour. A number of considerations are part of the decision-making process.

These include

- Any history of previous similar behaviours
- The harm (actual or risk of) and nature of harm caused or likely to have been caused by the child's behaviour. Harm includes areas such as physical, emotional and reputational. It is also considered in terms of the scale and severity.
- The age of the child involved including any specific needs that may require that reasonable adjustments are made.
- The minimum time the school considers is necessary for the child to have effectively reflected on their behaviour and then be able to commit to behaviour change and re-join the main school learning environment.

The behaviour of a pupil outside school can be considered grounds for an exclusion.

Whilst we will always encourage children to participate in post-incident investigations the final decision on any sanction is made by the school. Due to GDPR we do not discuss any sanctions issued to other children.

3. Decision-making processes

It is for the school staff alone to make decisions in relation to sanctions including suspensions. The power to exclude is that of the Headteacher.

On the rare occasion that the Headteacher is not in school, the senior member of staff nominated as being in charge of the school site will deputise and assume the decision-making authority in relation to suspensions and exclusions.

When establishing the facts in relation to an exclusion decision the head teacher must 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.' 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.

Parents/carers are not involved in the decision-making process regarding the sanctioning of their own child or other children. However, in the interests of transparency and working together staff are always willing to explain the reason for a suspension or exclusion being issued.

4. Reasonable adjustments

If it is the case that a child has an identified Special Educational Need and/or Disability, and if it is considered that their diagnosed need may have contributed to the behaviour they exhibited, this will be considered in relation to the issuing of a sanction. In terms of anticipatory duty, it is the expectation that there is some clear evidence (for example professional involvement with the child) for this to be considered and then reasonable adjustments to sanctions considered. This does not mean children on the SEN register will not be subject to suspension or exclusion if their behaviour necessitates it; it means that reasonable adjustments would be considered as part of the issuing of the sanction. It is for

the school alone to determine what reasonable adjustments are both appropriate and possible in relation to sanctions, it is not reasonable for parents to request these for a number of reasons including

- they are not responsible for the decision-making process and/or policies that the school works to
- there is a likely lack of objectivity as it is their own child involved
- they will not be privy to the wider involvement of other children within the incident , the names of these children and any CCTV due to GDPR.

In extreme cases, suspension & permanent suspension may be used as a proportionate means of achieving a legitimate aim.

5. The duration of suspensions

Internal suspensions: These generally range from 0.5 and 3 days in length (incident specific).

Suspensions: The majority of suspensions are between 1 and 5 days in length. A child can be externally excluded multiple times and for a maximum of 45 days in a school year. Suspensions can also be used concurrently (for different reasons). Any single suspension that is 6 days (or longer) in duration requires that the school provides an alternative education setting for the excluded child to attend from the 6th day.

Permanent exclusions: These are very rare and mean the child cannot ever return to the school.

6. Communicating the decision to exclude with parents/carers

We will communicate any decision to suspend or exclude to parents/carers as soon as reasonably possible after the decision is made. Communication is normally verbal in the first instance with staff aiming to speak to parents/carers and explain the situation and the decision reached. For all forms of suspension this will be followed up with a formal letter which details:

- the reason(s) for the suspension or 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 exclusion to the governing board and how the pupil may be involved in this;
- how any representations should be made; and
- where there is a legal requirement for the governing board to consider the exclusion, that parents have a right to attend a meeting, to be represented at that meeting (at their own expense) and to bring a friend.

7. Other types of absence from school that are not suspensions

There are occasions where a child may be legitimately sent home, this being for a specific issue to be addressed. For example:

In situations where it is judged that the presentation of a child indicates they may need clinical assessment. Parents/carers will be advised that they should seek urgent assessment by a medical professional (normally via A&E) in certain

situations. This is not a suspension (and will not be recorded as such), it will be recorded as an authorised absence.

8. Information specific to permanent suspensions

A decision to exclude a child permanently will only be taken in response to a serious breach, or persistent breaches, of the school's behaviour policy and if allowing the child to remain in school would seriously harm the education or welfare of the child or others in the school.

Prior to any decision to permanently exclude a child:

- a thorough and timely investigation will have swiftly taken place led by an experienced and senior member of staff on the senior leadership team
- consideration will have been given to seeking an alternative to permanent exclusion (where this is considered a possibility and appropriate in the specific situation)
- parents/carers and the child themselves will have had the opportunity to record their account of the incident(s) under investigation and any mitigating circumstances.

In the case that a permanent exclusion is issued on the basis of persistent breaches of the school's behaviour policy it will be clearly shown that a range of strategies have been tried, and professionals engaged with, without sustained positive progress being made in relation to the child's behaviour.

In the case of a single serious breach of discipline the Headteacher may decide that it is a reasonable and proportionate action to permanently exclude a child without having tried a range of strategies.

In every case, all the evidence is carefully assessed and collated. Records are kept of all exclusion proceedings. A child is allowed and encouraged to give her/his account of events. Staff investigate the causes of the incident fully.

9. Information sharing

All suspensions and exclusions are treated in the strictest confidence on a 'need to know' basis. It is normal working practice for the school to share suspension and exclusion information with the staff in the WSCC Fair Access Team as they have a statutory responsibility in relation to suspended or excluded children.

Any child who is permanently excluded will not be removed from the school register until after any requested review has been completed, or the deadline for requesting a review of the decision to exclude has passed without a request being made.

Any child who has had a suspension whilst at The Laurels will have a record of their suspension passed onto secondary school.

10. The involvement of the Governing Body

For all suspensions (and permanent exclusions) the chair of the governing body will be informed. This is in addition to the wider role that governors fulfil in monitoring standards and behaviour/suspension/exclusion data.

A Governors' Disciplinary Committee (minimum of 3 governors) will convene automatically in situations when:

- A permanent exclusion is issued
- A suspension is issued which would bring the child's total number of suspended school days to more than 15 in a term
- A suspension would result in the excluded child missing a public examination.

The Chair of Governors will be informed within one school day of any suspensions meeting the criteria above, and convene a panel. The school will provide a copy of the letter sent to parents.

In addition, the Headteacher will inform the Chair of Governors of suspensions which would result in the pupil being suspended for more than five school days (or more than ten lunchtimes) in a term, and the school will provide a copy of the letter sent to parents.

Rights of parental appeal and representation are detailed in section 13.

11. Managed transfers

One possible response to serious breaches of the school's behaviour policy (including breaches which are serious enough meet the guidelines for permanent exclusion) is a managed move to another school. This shared agreement between the two schools and parent/carer of the child, enables the child to have a fresh start in a new school setting.

Managed moves are organised at the discretion of the school and agreement is needed by the host school to offer a managed move. If it is the case that a managed move is used as an alternative to a permanent exclusion then the breakdown of the managed move (due to poor behaviour – single incident or persistent) could then be the reason for a permanent suspension being issued.

12. Challenging the decision to exclude

There is a statutory process in place for parents/carers to follow should they wish to challenge a suspension or exclusion. Details regarding the process are included with every suspension or exclusion letter as well as who to contact and how. A challenge made to a decision to suspend must be made within three weeks of the suspension letter being received.

If a parent or carer does request a review of a decision to suspend a child, a Governors' Disciplinary Committee (GDC) will be convened. In the case of a suspension of under 5 school days within a single term the response to the review will be in writing.

For reviews to suspensions that take the total number of days of suspension beyond 5 but less than 15.5 school days in a term a panel meeting (to which the parent/carer requesting the review) may be convened.

The following parties will be invited to a panel meeting:

- The Headteacher and/or his/her representative

- The parents/carer of the suspended child (who may be accompanied by a friend or representative)

The GDC panel will endeavour to meet within two weeks of receiving the request to review the decision to suspend. It is expected that any documentation that either the school or parents/carers wish the panel to consider will be circulated to all parties (normally 5 days) in advance of the meeting.

Following a panel meeting the governors will meet separately and decide whether

- to uphold the decision or
- to decline to uphold the decision.

There are separate follow up actions that are taken if option 2 above is the decision made.

In the case that any external suspension takes an individual child to a total of more than 15 days of suspension within a single school term or the exclusion is permanent, a GDC will always meet. This is whether or not the child's parent/carers wish to challenge the decision the school has made.

13. Monitoring, Evaluation and Review

A number of monitoring systems and processes are in place to track the use, patterns and effectiveness of sanctions used in school. Data is analysed by senior staff regularly and reports are made to the governing body. The key focus is to reduce all forms of suspension and exclusion whilst at the same time improving school-wide behaviour.

14. Policy review

This policy is a delegated policy and will be subject to both regular updates (normally in line with changes to statutory guidance) and also bi-annual review. It will always carry a "last updated" date alongside the formal review date.

Bi-Annual review date:	1 st July 2023.
Last update date:	1 st September 2021
Party responsible:	Head of School
Linked Policies:	The Laurels Primary School Behaviour policy
Linked statutory documentation	Suspensions from maintained schools, academies and pupil referral units in England Behaviour and discipline in schools.