

# Suspensions & Exclusions Policy



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**Approved by:** Governing board

**Date:** June 2024

**Signed by:** 

**Position:** Chair of Governing board

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## Monitoring arrangements

*This policy will be reviewed at least annually in line with DfE, HSCP, HCC and any other relevant guidance (change as appropriate).*

Author: Matthew Atkinson	Title: Suspensions & Exclusions Policy	Ref: 2024	Date: September 2024
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# 1. The Inclusion Way

The Inclusion Way is based on over ten years' experience and captures our wellbeing and mental health ethos, our pedagogical approach and all aspects that affect a learner's educational experience.

We know that the Inclusion Way works because:

- Our learners are happy
- Our learners tell us it works for them
- Our learners make educational, emotional and social progress
- Our parents/carers tell us they feel supported by their school in caring for their child

For over ten years we have supported the most vulnerable young people in our community to become mentally healthy, resilient and successful young adults.

In this and all other policies, all of which come together to form The Inclusion Way, you will learn what we do to unlock potential in each learner and how we do it.

Before reading this policy, it is important to know our learner and the journey they have taken before they start Inclusion School:

- Our learners will have a severe and chronic diagnosed mental health need. They will be experiencing, or have experienced, self-harm, suicide ideation, depression and high anxiety. Most of our learners will be experiencing more than one of these things at any one time.
- Our learners will likely have diagnosed and undiagnosed SEND needs related to speech, language and communication (SLCN), communication and interaction needs (C&I) or a specific learning need (SpLD).
- Our learners will have experienced significant gaps in their education, (in some cases years) at primary and/or secondary level
- Our learners will have a history of non-attendance due to high anxiety and mental health needs and been identified as an emotionally based school avoider (EBSA)
- Our learners academic levels will be below age related expectations in Maths, English and Science due to these gaps in education and unmet needs
- Our learners will have experienced trauma, whether through an Adverse Childhood Experience (ACE) or by having been a victim of bullying in previous settings
- Our learner is a teenager exploring their identity and discovering who they are and who they want to be. They may present as having difficulties with emotional regulation and academic attainment but they are not of the cognitive ability of primary age children. They are young adults and want to be treated like one

The Inclusion Way is designed to meet these needs so the learner can succeed. This is how we achieve this, with further information available in the most important policies:

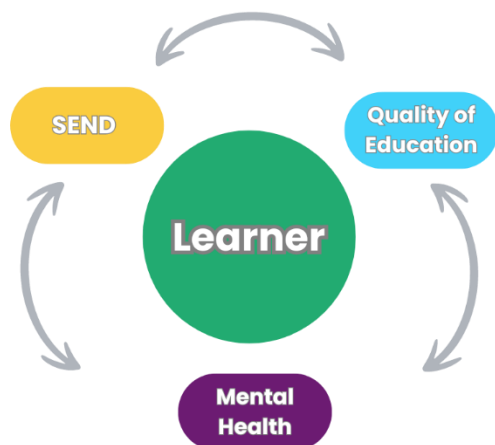
- A PACE approach with each learner's SEN needs being met (see our SEN and Mental Health Policies)

- Establish foundations of positive and sustainable mental health on which we can build learning (see our Mental Health Policy)
- Positive, trusting and consistent relationships with adults (see our Behaviour Policy)
- Recognition that good attendance can look different for everyone at different times and should not be taken for granted. Good attendance should be celebrated because it can be lifechanging (see our Attendance Policy)
- An adaptive pedagogy and curriculum with reading, literacy, Gatsby and cultural capital at its heart (see our Curriculum and Reading policies)

It is in consideration of all of the above that Inclusion School considers its use of suspension, change of placement and permanent exclusion.

An integral element to the success of the Inclusion Way is our model of triangulation between Mental Health, Quality of Education and SEND. These three aspects are of equal importance and they all inform the each other.

Only by working in combination, as embodied in the school through our Deputy Headteachers (Quality of Education, SEND) and Senior Mental Health Lead, overseen by the Headteacher, are our learners able to make sustained and holistic progress.



## 2. Aims

We are committed to following all the statutory exclusions procedures that every child receives an education in a safe and caring environment.

Inclusion School aims to ensure that:

- The exclusions process is applied fairly and consistently
- It is a last resort
- Governors, staff, parents/carers and learners understand the exclusions process
- Learners in school are safe and happy
- Prevent learners from becoming NEET (not in education, employment or training)
- Ensure all suspensions and permanent exclusions are carried out lawfully

### 3. Legislation and guidance

This policy is based on statutory guidance from the Department for Education: [Suspension and permanent exclusion from maintained schools, academies and pupil referral units in England, including pupil movement - from September 2023](#).

It is based on the following legislation, which outlines schools' powers to exclude learners:

- Section 51a of the Education Act 2002, as amended by the Education Act 2011
- The School Discipline (learner Exclusions and Reviews) (England) Regulations 2012

In addition, the policy is based on:

- Part 7, chapter 2 of the [Education and Inspections Act 2006](#), which sets out parental responsibility for excluded learners
- Section 579 of the [Education Act 1996](#), which defines 'school day'
- The [Education \(Provision of Full-Time Education for Excluded learners\) \(England\) Regulations 2007](#), as amended by [The Education \(Provision of Full-Time Education for Excluded learners\) \(England\) \(Amendment\) Regulations 2014](#)
- [The Equality Act 2010](#)
- [Children and Families Act 2014](#)

### 4. Definitions

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

**Permanent exclusion** – when a learner is removed from the school permanently and taken off the school roll. This is sometimes referred to as an 'exclusion'.

**Change of placement** – when a learner's needs are not being met by Inclusion School, or their behaviour is putting the mental health, wellbeing and safety of other learners at risk, the school, in liaison with parents/carers and the Local Authority, following a serious incident, or series of incidents, will recommend at an Annual Review that an alternative school be sought.

### 5. Inclusion School statement on suspensions and exclusions

We have the highest concern for safety and wellbeing of each learner and the whole school community and we work to ensure that our learner-centred, positive and proactive approach creates an environment that nurtures good behaviour, learning and wellbeing and reduces the number of suspensions and need for a change of placement/permanent exclusion.

Further details of how we use the quality of our relationships, the quality of our provision and the quality of our staff to ensure that learners feel safe, cared for and able to learn can be found in our Behaviour Policy.

Good behaviour and discipline is essential for promoting a high quality education and creating a feeling of safety for the whole school community. If a person feels safe, they are more likely to be in a place to learn.

Amongst other disciplinary sanctions, the school recognises that suspension and exclusion of learners may be necessary where there has been a serious breach, or consistent breaches, of the school's Behaviour Policy and it creates an environment in which people do not feel safe.

Suspension, change of placement or permanent exclusion of a learner may also be required in instances where allowing the learner to remain in school would be damaging to the education and welfare of themselves or others; in all cases, suspension, exclusion or change of placement should only be used as a means of last resort.

The school has created this policy to clearly define the legal responsibilities of the headteacher, governors and LA when responding to learner suspensions or exclusions to ensure that they are dealt with both fairly and lawfully, and in line with DfE statutory guidance.

This policy also aims to secure a learner's right to an education despite having been suspended or excluded, by ensuring that appropriate arrangements are in place.

## **Escalation process**

Any suspension will be the result of a breach of the school's behaviour policy.

When there has been multiple use of suspension this indicates a wider challenge in ensuring the safety of the school and the wellbeing of its learners. It is at this stage that consideration of a change of placement or permanent exclusion will be considered.

In accordance with DfE guidance on exclusions, a permanent exclusion may only be imposed in response to a serious breach or persistent breaches of the behaviour policy and where allowing the learner to remain in school would seriously harm the education and/or welfare of the learner or others in the school community.

Because of the needs of our learners, permanent exclusion can be damaging and therefore the school always works proactively to identify need, as highlighted by the need for suspension, to seek alternatives in liaison with the Local Authority and parents/carers. If this has been exhausted, then a change of placement will be sought.

In line with the school's behaviour policy, the following actions are examples, and this list is not exhaustive, of unacceptable behaviour which may result in suspension and lead to a change of placement or permanent exclusion:

- Verbally or physically threatening behaviour to members of staff (or any adults on site)
- Verbally or physically threatening behaviour to other learners
- Physical abuse to/attack on staff
- Physical abuse to/attack on learners
- Abuse against sexual orientation and gender identity
- Abuse relating to disability
- Persistent disruptive behaviour
- Inappropriate use of social media or online technology (including outside of school hours where this has an impact in school)
- Bullying
- Racist abuse
- Sexually inappropriate behaviour or misconduct
- Damage to property
- Misuse of or supplying illegal drugs
- Misuse of or supplying other substances
- Theft
- Carrying, threats to use, or actual use of an offensive weapon

- Arson

## Change of placement

Where at all possible, Inclusion School will not permanently exclude any child but will work with the placing authority to secure a placement that better meets the needs of the child. This is referred to as a change of placement.

A change of placement is a process where the school has utilised suspensions, other provision and held meetings with the parents/carers and Local Authority to outline that the school can no longer meet the needs of the learners as outlined in their Education, Health and Care Plan.

## 6. Roles and responsibilities

### 6.1 The Headteacher

#### Deciding whether to suspend or exclude

Only the headteacher, or acting headteacher, can suspend, permanently exclude, or recommend a change of placement for a learner from Inclusion School on disciplinary grounds. The decision can be made in respect of behaviour inside or outside the school, including online.

A decision to suspend or exclude a learner will be taken only:

- In accordance with the school's behaviour policy
- To provide a clear signal of what is unacceptable behaviour
- To show a learner that their current behaviour is putting them at risk of permanent exclusion or their placement at Inclusion School ending

Where suspensions have become a regular occurrence, the headteacher will consider whether suspensions alone are an effective sanction and whether additional strategies need to be put in place to address behaviour issues.

A decision to exclude a pupil will be taken only:

- In response to serious or persistent breaches of the school's behaviour policy, **and**
- If allowing the learner to remain in school would seriously harm the education or welfare of others

Before deciding whether to suspend or exclude a learner, the headteacher will:

- Consider all the relevant facts and evidence on the balance of probabilities, including whether the incident(s) leading to the exclusion were provoked
- Allow the learner to give their version of events
- Consider whether the learner has special educational needs (SEN)
- Consider whether the learner is especially vulnerable (e.g. the learner has a social worker, or is a looked-after child (LAC))
- Consider whether all alternative solutions have been explored, such as off-site direction or alternative provision

The headteacher will consider the views of the learner, in light of their age and understanding, before deciding to suspend or exclude, unless it would not be appropriate to do so.

Learners who need support to express their views will be allowed to have their views expressed through an advocate, such as a parent or social worker.

The headteacher will not reach their decision until they have heard from the learner, and will inform the learner of how their views were taken into account when making the decision.

### **Informing parents/carers**

If a learner is at risk of suspension or exclusion the headteacher will inform the parents/carers as early as possible, in order to work together to consider what factors may be affecting the learner's behaviour, and what further support can be put in place to improve the behaviour.

If the headteacher decides to suspend or exclude a learner, the parents/carers will be informed of the period of the suspension or exclusion and the reason(s) for it, without delay.

The parents will also be provided with the following information in writing, without delay:

- The reason(s) for the suspension or exclusion
- The length of the suspension or, for a permanent exclusion, the fact that it is permanent
- Information about parents/carers' right to make representations about the suspension or permanent exclusion to the governing board and how the learner may be involved in this
- any representations should be made
- Where there is a legal requirement for the governing board to hold a meeting to consider the reinstatement of a learner

If the learner is of compulsory school age, the headteacher will also notify parents/carers without delay and by the end of the afternoon session on the first day their child is suspended or permanently excluded, that:

- For the first 5 school days of an exclusion (or until the start date of any alternative provision or the end of the suspension, where this is earlier), the parents/carers are legally required to ensure that their child is not present in a public place during school hours without a good reason. This will include specifying on which days this duty applies
- Parents may be given a fixed penalty notice or prosecuted if they fail to do this

If alternative provision is being arranged, the following information will be included, if possible:

- 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 the learner needs in order to identify the person they should report to on the first day

If the headteacher does not have all the information about the alternative provision arrangements by the end of the afternoon session on the first day of the suspension or permanent exclusion, they can provide the information at a later date, without delay and no later than 48 hours before the provision is due to start.



The only exception to this is where alternative provision is to be provided before the sixth day of a suspension or permanent exclusion, in which case the school reserves the right to provide the information with less than 48 hours' notice, with parents' consent.

If the headteacher cancels the suspension or permanent exclusion, they will notify the parents/carers without delay, and provide a reason for the cancellation.

### **Informing the local authority (LA)**

The headteacher will notify the LA of all permanent exclusions and need for a change of placement without delay.

Inclusion School has regular meetings with its LA SEN caseworker in which any concerns, such as suspensions, the risk of permanent exclusion or change of placement, are discussed.

If an exclusion is necessary, the notification to the LA will include:

- The reason(s) for the suspension or permanent exclusion
- The length of a suspension or, for a permanent exclusion, the fact that it is permanent

For a permanent exclusion, if the learner lives outside the LA in which the school is located, the headteacher will also, without delay, inform the pupil's 'home authority' of the exclusion and the reason(s) for it.

The headteacher must notify the LA without delay of any cancelled exclusions, including the reason the exclusion was cancelled.

### **Informing the governing board**

The headteacher will, without delay, notify the governing board of:

- Any permanent exclusion or change of placement, including when a suspension is followed by a decision to permanently exclude/end the place of a learner
- Any suspension or permanent exclusion which would result in the learner being suspended or permanently excluded for a total of more than 5 school days (or more than 10 lunchtimes) in a term
- Any suspension or permanent exclusion which would result in the learner missing a National Curriculum test or public exam
- Any suspension or permanent exclusion that has been cancelled, including the reason for the cancellation

The headteacher will notify the governing board once per term of any other suspensions of which they have not previously been notified, and the number of suspensions and exclusions which have been cancelled, including the circumstances and reasons for the cancellation.

### **Informing the learner's social worker and/or virtual school head (VSH)**

If a:

- **Learner with a social worker** is at risk of suspension or permanent exclusion, the headteacher will inform **the social worker** as early as possible

- **Learner who is a looked-after child (LAC)** is at risk of suspension or exclusion, the headteacher will inform **the VSH** as early as possible

This is in order to work together to consider what factors may be affecting the learner's behaviour, and what further support can be put in place to improve the behaviour.

If the headteacher decides to suspend or permanently exclude a learner with a social worker / a learner who is looked after, they will inform the learner's social worker / the VSH, as appropriate, without delay, that:

- They have decided to suspend or permanently exclude the learner
- The reason(s) for the decision
- The length of the suspension or, for a permanent exclusion, the fact that it is permanent
- The suspension or permanent exclusion affects the learners ability to sit a National Curriculum test or public exam (where relevant)
- They have decided to cancel a suspension or permanent exclusion, and why (where relevant)

The social worker / VSH will be invited to any meeting of the governing board about the suspension or permanent exclusion. This is so they can provide advice on how the learner's background and/or circumstances may have influenced the circumstances of their suspension or permanent exclusion. The social worker should also help ensure safeguarding needs and risks and the learner's welfare are taken into account.

### **Cancelling suspensions and permanent exclusions**

The headteacher may cancel a suspension or permanent exclusion that has already begun, or one that has not yet begun, but this will only be done where it has not yet been reviewed by the governing board. Where there is a cancellation:

- The parents/carers and governing board will be informed without delay
- Where relevant, any social worker and VSH will be notified without delay
- The notification must provide the reason for the cancellation
- Parents/carers will be offered the opportunity to meet with the headteacher to discuss the cancellation, which will be arranged without delay
- The learner will be allowed back in school without delay

### **Providing education during the first 5 days of a suspension, permanent exclusion or change of placement**

During the first 5 days of a suspension, permanent exclusion or change of placement, if the learner is not attending alternative (AP) provision, the headteacher will take steps to ensure that achievable and accessible work is set and marked for the learner. Online pathways such as Microsoft Teams or Oak Academy may be used for this.

For any change of placement or permanent exclusion, the Headteacher and Deputy Headteacher (SEND) will work with the Local Authority to provide suitable educational arrangements.

The headteacher will make sure that reasonable adjustments are made to the provision where necessary.

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

## **6.2 The Governing Board**

### **Considering suspensions and permanent exclusions**

The governing board has a duty to consider parents/carers' representations about a suspension or permanent exclusion. It has a duty to consider the reinstatement of a suspended or permanently excluded learner.

Within 14 days of receiving a request, the governing board will provide the Chair of Inclusion Education's Trustees, as the school's proprietor Inclusion Education, with information about any suspensions or exclusions within the last 12 months.

The governing board does not have to arrange such provision for pupils in their final year of compulsory education who do not have any further public exams to sit.

### **Monitoring and analysing suspensions and exclusions data**

The governing board will review, challenge and evaluate the data on the school's use of suspension, exclusion, off-site provision, and change of placements.

The governing board will consider:

- How effectively and consistently the school's behaviour policy is being implemented
- The school register and absence codes
- Instances where learners receive repeat suspensions
- Interventions in place to support learners at risk of suspension, permanent exclusion or change of placement
- Any variations in the rolling average of permanent exclusions or change of placements, to understand why this is happening, and to make sure they are only used when necessary
- Whether there are any patterns, including any indications that may highlight where policies or support are not working
- The characteristics of suspended and permanently excluded learners, and why this is taking place
- Whether the placements of learners at off-site provision are reviewed at sufficient intervals to assure that the education is achieving its objectives and that learners are benefiting from it
- The cost implications of directing learners off-site

## **6.3 The local authority (LA)**

Inclusion School will meet with its Local Authority caseworker regularly and will inform them of any suspensions or risks to placements coming to an end in order to review what actions can be put in place to support the placement at Inclusion School.

If a change of placement or permanent exclusion is necessary, Inclusion School will work with the local authority to arrange suitable education whilst an alternative placement is being sought.

## **7. Returning from a suspension**

### **7.1 Reintegration strategy**

Following suspension, the school will put in place a strategy to help the learner reintegrate successfully into school life and full-time education.

Where necessary, the school will work with internal and external agencies to identify whether the learner has any unmet special educational and/or health needs, such as the school's speech and language therapist.

The following measures may be implemented, as part of the strategy, to ensure a successful reintegration into school life:

- Welcoming the learner back to school for a fresh start at a meeting involving parents/carers and the learner
- Identifying additional support to prevent future occurrences, whether internally or externally, such as visuals
- Regular reviews with the learner and parents to praise progress being made and raise and address any concerns at an early stage
- Agreeing a behaviour contract or formal targets
- Additional time with a member of the mental health team
- Creating a "team" around the learner, if not already in place
- Mental Health Individual Timetable Plans (see our Attendance Policy for details)
- Accessing off-site provision to support mental health, SEN and regulation needs

The strategy will be regularly reviewed and adapted where necessary throughout the reintegration process in collaboration with the learner, parents, and other relevant parties.

### **7.2 Reintegration meetings**

The school will explain the reintegration strategy to the learner in a reintegration meeting before or on the learner's return to school. During the meeting the school will communicate to the learner that they are getting a fresh start and that they are a valued member of the school community.

The learner, parent(s)/carer(s), a member of senior staff, and any other relevant staff will be invited to attend the meeting.

The meeting can proceed without the parents/carers in the event that they cannot or do not attend. It is the school's strong preference that parents/carers attend these meetings as this has more likelihood of long term success/

The school expects all returning learners and their parents to attend their reintegration meeting, but learners who do not attend will not be prevented from returning to the classroom.

The school will make accommodations so that parents/carers can attend any meetings remotely or by telephone.

## **8. Monitoring arrangements**

The school will collect data on the following:

- Attendance, permanent exclusions and suspensions
- Off-site provision and change of placements
- Anonymous surveys of staff, learners, governors and other stakeholders on their perceptions and experiences.

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 learners are identified by this analysis, the school will review its policies in order to tackle it.

This policy will be reviewed by the Headteacher every two years.

At every review, the policy will be approved by the governing board.

## **9. Links with other policies**

- Behaviour Policy
- SEND Policy
- SEND Information Report
- Attendance Policy
- Mental Health Policy