

St Gabriel's C of E Primary School



Exclusion and Suspension Policy Spring 2025

Review date	February 2025 by MN
Next review date	September 2027

It is the policy of St Gabriel's CofE Primary School to try to deal with all behavioural issues in an active, positive way, employing a wide range of strategies, including those specifically designed to avoid issues that may reach the point of exclusion. This policy should be read in partnership with St Gabriel's Behaviour Policy.

Purpose of this Policy

This policy is designed to briefly outline the school's approach to exclusions and suspensions and has been written with reference to the DfE document '*Suspension and permanent exclusion from maintained schools, academies and pupil referral units in England, including pupil movement*' (August 2024) and within the statutory framework as defined in the *The School Discipline (Pupil Exclusions and Reviews) (England) Regulations 2012*. 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.

Principles

1) Exclusion and suspension are sanctions used by the school only in cases deemed as serious breaches of the School Behaviour Policy. A student may be at risk of exclusion or suspension from school for:

- 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 that has been prohibited by a school's behaviour policy
- Bullying
- Racist abuse
- Abuse against sexual orientation or gender reassignment
- Abuse relating to disability

This list is not exhaustive and is intended to offer examples rather than be complete or definitive.

2) A suspension from the school can only be authorised by the Headteacher or one of the Assistant Headteachers acting on their behalf. If none are available to authorise the suspension a decision should be deferred until the opportunity for authorisation is available.

3) 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. A permanent exclusion must only be used as a last resort, 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 pupil or others in the school.

4) The school seeks to reduce the number of incidents leading to exclusions and suspensions by promoting a positive atmosphere of mutual respect and discipline within the school and through proactively engaging with parents.

5) The decision to exclude a pupil must be lawful, reasonable and fair. St Gabriel's has a statutory duty not to discriminate against pupils on the basis of protected characteristics, such as disability or race. The school should give particular consideration to the fair treatment of pupils from groups who are vulnerable to exclusion and suspension.

6) Exclusion and suspension must only ever be for a disciplinary reason. For example, it would be unlawful to exclude a pupil simply because they have additional needs or a disability that the school feels it is unable to meet, or for a reason such as: academic attainment / ability; the action of a pupil's parents; or the failure of a pupil to meet specific conditions before they are reinstated. Pupils who repeatedly disobey their teachers' academic instructions could, however, be subject to exclusion or suspension.

7) The school regularly monitors the number of suspensions to ensure that no group of students is unfairly disadvantaged through their use and that any underlying needs of individuals are being fully met.

8) Nationally, children with SEN or Looked after Children have disproportionately higher rates of exclusion and suspension than others. The Head teacher should ensure that every possible step has been taken to support children from these vulnerable groups, before the measure of exclusion or suspension is taken. Where the Headteacher has concerns about the behaviour, or risk of exclusion or suspension, of a child with additional needs, a pupil with an EHCP or a looked after child they should, in partnership with others (including the local authority as necessary), consider what additional support or alternative placement may be required. This should involve assessing the suitability of provision for a pupil's SEN. Where a pupil has an EHCP, schools should consider requesting an early annual review or interim / emergency review.

9) Suspensions will be for half a day, 1 to 3 days or 5 days. On the first instance a child will be suspended for half a day. Following the second incident, it will be a full day suspension. The third incident would warrant a 3 day suspension and the fourth incident a 5 day suspension; however, there may be incidences where a longer suspension or permanent exclusion is necessary. The length of any suspension is at the discretion of the head. A child is not permitted to be suspended for more than 45 days in a school year.

Before an Exclusion or Suspension:

Exclusion or suspensions will not be imposed instantly unless there is an immediate threat to the safety of others in the School or the student concerned. Before deciding whether to exclude or suspend a pupil either permanently or for a fixed period the Headteacher will:

- Ensure appropriate investigations have been carried out
- Consider all the evidence available to support the allegations taking into account the school policies
- Allow the student to give her/his version of events
- Check whether the incident may have been provoked

If the Head is satisfied that on the balance of probabilities the student did what he or she is alleged to have done and if appropriate, all other alternatives have been explored or exhausted, exclusion or suspension will be the outcome.

Notification of an Exclusion or Suspension (See the sample letter in the Appendix)

1) Parents will be notified as soon as possible of the decision to exclude or suspend a student and the reason for the exclusion or suspension. This will be done on the day of the exclusion or suspension being authorised by either direct phone contact or a face-to-face meeting. A written confirmation of the reason(s) for the exclusion or suspension will be sent to parents the same day.

2) The parents will be informed of the number of days the child is being suspended for and the return date.

2) In the case of a Permanent Exclusion parents will be notified by the Headteacher in a face-to-face meeting.

3) A student who has been excluded or suspended will have the reason for his/her exclusion or suspension explained to them by a member of staff so that they understand the nature of their misbehaviour.

4) The school will also work to put in place a programme for the pupil on his/her return. This will include input from staff at the school, parents, if appropriate, and any other appropriate bodies e.g. School Home Support Practitioner, Attendance Service or the Local Authority. Should it be decided for whatever reason that the matter needs to be put in the hands of another agency i.e. the incident leads to the discovery that there is a child protection issue, the school will continue to monitor the situation and work closely with that agency. It is hoped that in most cases following a suspension, 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.

5) The Chair of Governors, LA Inclusion Officer and relevant school staff will be notified of all suspensions the same day of the production of the suspension letter, which they will receive a copy of; it will clearly outline the reasons for the suspension.

During a Suspension

1) To ensure as much continuity in education as possible, work will be provided for the child.

2) For the first five school days of a suspension (or until the start date of any alternative provision where this is earlier) parents are legally required to ensure that their child is not present in a public place during school hours without reasonable justification, and that parents may be given a fixed penalty notice or be prosecuted if they fail to do so.

Students Returning from a Suspension

1) All students returning from a suspension are required to attend a reintegration meeting, accompanied by a parent. This meeting will seek to establish practical ways in which further suspension or exclusion can be avoided and behaviour modified to acceptable standards in partnership between student, parent and school. This meeting may be led by the Headteacher or member of the Senior Leadership Team.

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 the Headteacher may decide to permanently exclude a pupil because of ongoing issues or even for a 'one-off' incident.

If your child has been permanently excluded, be aware that:

- the school's governing body is required to review the Headteacher's decision and you may meet with them to explain your views on the exclusion
- if the governing body confirms the exclusion, you can appeal to an independent appeal panel organised by the local authority
- the school must explain in a letter how to lodge an appeal
- the local authority must provide full-time education from the sixth day of a permanent exclusion

Appeals

All correspondence regarding an exclusion or suspension from the school will inform parents of their right to appeal to the Governing Body against the decision to exclude or suspend. 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.

Relationship to other School Policies

The Exclusion and Suspension Policy should be read in tandem with the school's Behaviour Policy as well as other relevant school policies, particularly the Inclusion Policy, Special Educational Needs Policy and the Equality & Diversity Policy. It also has a close inter-relationship with the Anti-Bullying Policy and Attendance Policy.

Monitoring and Review

- 1) The impact of this policy will be reviewed by the governors' Staffing and Community Committee
- 2) The Headteacher will provide the Committee with regular monitoring reports which will help it to evaluate the effectiveness of the policy and procedures.
- 3) The policy and procedures will be reviewed and amended in the light of such evaluation and in consultation with representatives of all key stakeholders.



St Gabriel's C.E. Primary School

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Date: Thursday 26th January 2023

Dear Mr and Mrs _____,

Following our meeting this afternoon, I am formally writing to inform you of my decision to suspend _____ for a fixed period of _____ days: _____. This means that _____ will not be allowed in school for this period. The suspension begins at 9am on the morning of _____ and ends at 3.30pm on _____.

I realise that this suspension may well be upsetting for you and your family but the decision to suspend _____ has not been taken lightly. As explained during our meeting, _____ has been suspended for this fixed period because:

- _____
- _____
- _____

We have provided work for _____ to be completed during the period of suspension as specified in the previous paragraph. Please ensure that work set by the school is completed.

You have a duty to ensure that your child is not found in a public place during this suspension i.e. between 9am and 3.30pm on _____ and between 9am and 3.30pm on _____, unless there is reasonable justification for this. I must warn you that you may be prosecuted or receive a penalty notice from the local authority, if your child is found in a public place during normal school hours, on the specified dates, without reasonable justification.

You have the right to make representations about this decision to the Staffing and Community Governors Committee. If you wish to make representations please contact the Clerk to Governors as soon as possible, via the school office. Whilst the Staffing and Community Committee has no power to direct reinstatement, they must consider any representations you make and may place a copy of their findings on your child's school record.

If you think this suspension has occurred as a result of discrimination then you may also make a claim under the Equality Act 2010 to the First Tier Tribunal (Special Education Needs and Disability) in the case of disability discrimination, or the County Court, in the case of other forms of discrimination. Making a claim would not affect your right to make representations to the governing body.



A copy of the Government's guidance, 'Exclusion from maintained schools, Academies and Pupil Referral Units in England', can be downloaded from the Department for Education's website at: <https://www.gov.uk/government/publications/school-exclusion>

Free and impartial information may be found in:

- The Department for Education's Guidance on Exclusion from maintained Schools, Academies and Pupil referral Units in England
- At the Coram Children's Legal Centre: www.childrenslegalcentre.com 08088 020 008
- In the St Gabriel's Behaviour Policy and Exclusions Policy.

You also have the right to see a copy of _____ school record. Due to confidentiality restrictions, you will need to notify me in writing if you wish to be supplied with a copy of _____ school record. I will be happy to supply you with a copy if you request it. There may be a charge for photocopying.

You may wish to contact Paul Worts at Westminster City Council LA on at ACE Team, Green Zone, 2nd Floor, Kensington Town Hall, Hornton Street, London, W8 7NX or by phone: 020 7745 6614 or paul.worts@rbkc.gov.uk, who can provide advice.

You and _____ are requested to attend a reintegration interview with me at school on _____ at 8.45am. If that is not convenient, please contact the school as soon as possible to arrange a suitable alternative date and time. The purpose of the reintegration interview is to discuss how best your child's return to school can be managed.

Yours sincerely,



Rebecca Anson

Headteacher
St Gabriel's C of E Primary School