



Red Hall Primary School Policy for Suspension and Permanent Exclusion

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Contents

1. Aims
2. Legislation and Statutory Guidance
3. Definitions
4. Roles and responsibilities
5. Considering the reinstatement of a pupil
6. An independent review
7. School Registers
8. Returning from a suspension
9. Remote access to meeting
10. Monitoring arrangements
11. Links with other policies

Appendix 1: Letter to Parents

Appendix 2 The Use of Suspension: At- Glance-Guidelines for Headteachers

1. Aims

As a school we aim to include, not exclude and we approach all behaviour in a supportive and positive way. Within our school ethos, we recognise that such behaviour can sometimes be symptomatic of a real, deeper need for our support and understanding. All children can go through times of inappropriate behaviour, therefore, we strive to never “give up” on a child as we recognise that each person has a unique contribution to make to school life and we want to support them to achieve this, through support in school and external support, where this may be required.

No suspension or exclusion will be initiated without first attempting other strategies or, in the case of a serious single incident, a proper investigation.

As a school we are committed to following all statutory exclusions procedures to ensure that every child receives and education in a safe and caring environment.

Our school aims to ensure that:

- The suspensions and exclusions process is applied fairly and consistently
- Governors, staff, parents/carers and pupils understand the exclusions process
- Pupils in school are safe and happy
- We prevent pupils from becoming NEET (not in education, employment or training)
- All suspensions and permanent exclusions are carried out lawfully.

A note on off-rolling

‘Off-rolling’ is a form of gaming and occurs where a school makes the decision, in the interests of the school and not the pupil, to:

- Remove a pupil from the school roll without a formal, permanent exclusion, or
- Encourage a parent/carer to remove their child from the school roll, or
- Retain a pupil on the school roll but does not allow them to attend the school normally, without a formal permanent exclusion or suspension

Accordingly, we will not suspend or exclude a pupil unlawfully by telling or forcing them to leave, or not allowing them to attend school without following the statutory procedure contained in the [School Discipline \(Pupil Exclusions and Reviews\) \(England\) Regulations 2012](#), or formally recording the event.

Any suspension or exclusion will be made on disciplinary grounds, and will not be made:

- Because a pupil has special educational needs and/or a disability (SEND) that the school feels unable to support, or
- Due to a pupil’s poor academic performance, or
- Because the pupil hasn’t met a specific condition, such as attending a reintegration meeting

If any pupil is suspended or excluded on the above grounds, this will also be considered as ‘off-rolling’.

2. Legislation and Statutory Guidance

This policy is based on statutory guidance from the Department for Education: Suspension for maintained schools, academies and pupil referral units (PRUs) in England including pupil movement

It is based on the following legislation, which outline schools' powers to exclude pupils:

- Section 51a of the Education Act 2002, as amended by the Education Act 2011
- The School Discipline (Pupil suspensions and Reviews) (England) Regulations 2012
- Sections 64-68 of the School Standards and Framework Act 1998

In addition, the policy is based on:

- Part 7, chapter 2 of the Education and Inspections Act 2006, which looks at parental responsibility for excluded pupils
- Section 579 of the Education Act 1996, which defines 'school day'
- The Education (Provision of Full-Time Education for Excluded Pupils) (England) Regulations 2007, as amended by The Education (Provision of Full-Time Education for Excluded Pupils) (England) (Amendment) Regulations 2014
- The Equality Act 2010
- Children and Families Act 2014
- The School Inspection Handbook which defines 'off rolling'.

3. Definitions

For the purposes of suspensions, school day is defined as any day on which there is a school session. Therefore, INSET or staff training days do not count as a school day.

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

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

Off-site direction – when a governing board of a maintained school requires a pupil to attend another education setting temporarily, to improve their behaviour.

Parent/carer – any person who has parental responsibility and any person who has care of the child.

Managed move – when a pupil is transferred to another school permanently. All parties, including parents and the admission authority for the new school, should consent before a managed move occurs.

4. Roles and responsibilities

The Headteacher

Deciding whether to suspend or exclude

Only the headteacher, or acting headteacher, can suspend or permanently exclude a pupil from school on disciplinary grounds. The decision can be made in respect of behaviour inside or outside of school. The headteacher will only use permanent exclusion as a last resort

A decision to suspend a pupil will be taken only:

- In accordance with the school's behaviour policy
- To provide a clear signal of what is seen as unacceptable behaviour
- To show a pupil that their current behaviour is putting them at risk of permanent exclusion

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 pupil to remain in school would seriously harm the education or welfare of others

Before deciding whether to exclude a pupil the Headteacher will:

- Consider all the relevant facts and evidence, including whether the incident(s) leading to the exclusion were provoked
- Allow the pupil to give their version of events
- Consider if the pupil has Special Educational Needs (SEN).
- Consider whether the pupil is especially vulnerable (e.g. the pupil has a social worker or is a looked after child – LAC)
- Consider whether all alternative solutions have been explored, such as detentions or other sanctions for suspensions and offsite direction or a managed move for exclusions

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

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

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

Informing parents/carers

If a pupil 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 pupil's behaviour, and what further support can be put in place to improve the behaviour.

If the decision is made to suspend or exclude a pupil, the parents/carers will be informed, in person or by telephone, of the period of the suspension or exclusion and the reason for it, without delay:

The parents/carers will also be provided with the following information, in writing; (please see *Appendix 1*):

- The reason(s) for the suspension or permanent exclusion
 - The length of the suspension or, for a permanent exclusion, the fact that it is permanent
- Information about parents' right to make representations about the suspension or permanent exclusion to the governing board and how the pupil may be involved in this
- How 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 pupil, and that parents (or the pupil if they are 18 years old) have a right to attend the meeting, be represented at the meeting (at their own expense) and to bring a friend

The headteacher will also notify parents/carers by the end of the afternoon session on the day their child is 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 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 pupil needs in order to identify the person they should report to on the first day

If they do not have the 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.

Suspensions and Permanent Exclusion Policy

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 governing body and the Local Authority

The Headteacher will immediately notify the governing board and the Local Authority (LA) of:

- Any permanent exclusion, including when a suspension is followed by a decision to permanently exclude a pupil
- Any suspension or permanent exclusion that would result in the pupil 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 that would result in the pupil missing a National Curriculum test or public exam
- Any suspension or permanent exclusion that has been cancelled, including the reason for the cancellation

The notification 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 pupil 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 pupil's social worker and/or virtual school head (VSH)

If a:

- **Pupil with a social worker** is at risk of suspension or permanent exclusion, the headteacher will inform **the social worker** as early as possible
- **Pupil 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 pupil'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 pupil with a social worker / a pupil who is looked after, they will inform the pupil's social worker / the VSH, as appropriate, without delay, that:

- They have decided to suspend or permanently exclude the pupil
- 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 pupils ability to sit a National Curriculum test or public exam (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 pupil'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 pupil's welfare are taken into account.

Cancelling suspensions and permanent exclusions

The headteacher may cancel a suspension or permanent exclusion that has already 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, governing body and LA will be notified without delay
- Where relevant, any social worker and VSH will notified without delay
- The notification must provide the reason for the cancellation
- The governing board's duty to hold a meeting and consider reinstatement ceases
- Parents/carers will be offered the opportunity to meet with the headteacher to
- discuss the cancellation
- The pupil will be allowed back in school without delay.

Any days spent out of school as a result of any exclusion, prior to the cancellation, will count towards the maximum of 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 the cancellation takes effect

Providing education during the first 5 days of a suspension or permanent exclusion

During the first 5 days of a suspension, if the pupil is not attending alternative (AP) provision, the headteacher will take steps to ensure that achievable and accessible work is set and marked for the pupil. Online pathways such as Google Classroom or Oak Academy may be used for this. If the pupil has a special educational need or disability, the headteacher will make sure that reasonable adjustments are made to the provision where necessary.

If the pupil 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 pupil, including the use of online pathways.

The Governing Body

Responsibilities regarding suspensions are delegated to the Governing Body consisting of at least 3 governors.

The Governing Body has a duty to consider the reinstatement of an excluded pupil.

Within 14 days of receipt of a request, the governing body will provide the Secretary of State and the Local Authority with information about any suspensions in the last 12 months.

For any suspensions of more than 5 school days, the governing body will arrange suitable full-time education for the pupil. This provision will begin no later than the sixth day of the suspension.

Monitoring and analysing suspensions and exclusions data

The governing body will challenge and evaluate the data on the school's use of suspension, exclusion, off-site direction to alternative provision and managed moves.

The governing body will consider:

- How effectively and consistently the school's behaviour policy is being implemented
- The school register and absence codes
- Instances where pupils receive repeat suspensions
- Interventions in place to support pupils at risk of suspension or permanent exclusion
- Any variations in the rolling average of permanent exclusions, to understand why this is happening, and to make sure they are only used when necessary
- Timing of moves and permanent exclusions, and whether there are any patterns, including any indications which may highlight where policies or support are not working
- The characteristics of suspended and permanently excluded pupils, and why this is taking place

- Whether the placements of pupils directed off-site into alternative provision are reviewed at sufficient intervals to assure that the education is achieving its objectives and that pupils are benefiting from it
- The cost implications of directing pupils off

The Local Authority

For permanent suspensions, the LA is responsible for arranging suitable full-time education to begin no later than the sixth school day after the first day of exclusion.

For pupils who are looked after or have social workers, the LA and the school will work together arrange suitable full-time education to begin from the first day of the exclusion.

5. Considering the reinstatement of a pupil

The governing body will consider the reinstatement of an excluded pupil within 15 school days of receiving the notice of the suspension or exclusion if:

- The exclusion is permanent
- It is a suspension which would bring the pupil's total number of school days of suspension to more than 15 in a term or,
- It would result in a pupil missing a public examination or National Curriculum test.

Where the pupil 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 governing body must consider any representations made by parents/carers. However, it is not required to arrange a meeting with parents/carers and it cannot direct the headteacher to reinstate the pupil.

Where the pupil has been suspended for more than 5, but not more than 15 school days, in a single term, and the parents/carers make representations to the board, the governing body will consider and decide on the reinstatement of a suspended pupil within 50 school days of receiving notice of the suspension. If the parents/carers do not make representations, the board is not required to meet and it cannot direct the headteacher to reinstate the pupil.

Where a suspension or permanent exclusion would result in a pupil missing a public exam or National Curriculum test, the governing body will, as far as reasonably practicable, consider and decide on the reinstatement of the pupil before the date of the exam or test. If this is not practicable, the chair of the governing board (or the vice-chair, if necessary) may consider the suspension or permanent exclusion and decide whether or not to reinstate the pupil.

Where a suspension or permanent exclusion would result in a pupil missing a public exam or National Curriculum test, the following parties will be invited to a meeting of the governing board and allowed to make representations or share information:

- Parents/carers (and, where requested, a representative or friend)
- The pupil, if they are aged 17 or younger and it would be appropriate to their age and understanding (and, where requested, a representative or friend)
- The headteacher
- The pupil's social worker, if they have one
- The VSH, if the pupil is looked after
- A representative of the local authority

Governing body meetings can be held remotely at the request of parents/carers

The governing body will try to arrange the meeting within the statutory time limits set out above and must try to have it at a time that suits all relevant parties. However, its decision will not be invalid simply on the grounds that it was not made within these time limits.

Suspensions and Permanent Exclusion Policy

The governing body can:

- Decline to reinstate the pupil, or
- Direct the reinstatement of the pupil immediately, or on a particular date (except in cases where the board cannot do this – see earlier in this section)

In reaching a decision, the governing body will consider:

- Whether the decision to suspend or permanently exclude was lawful, reasonable, and procedurally fair
- Whether the headteacher followed their legal duties
- The welfare and safeguarding of the pupil and their peers
- Any evidence that was presented to the governing board
- They will decide whether or not a fact is true 'on the balance of probabilities'.
- The clerk will be present when the decision is made.

Minutes will be taken of the meeting, and a record kept of the evidence that was considered. The outcome will also be recorded on the pupil's educational record, and copies of relevant papers will be kept with this record.

The governing body will notify, in writing, the following stakeholders of its decision, along with reasons for its decision, without delay:

- The parents/carers
- The headteacher
- The pupil's social worker, if they have one
- The VSH, if the pupil is looked after
- The local authority
- The pupil's home authority, if it differs from the school's

Where an exclusion is permanent and the governing body has decided not to reinstate the pupil, the notification of decision will also include the following:

- The fact that it is a permanent exclusion
- Notice of parents/carers right to ask for the decision to be reviewed by an independent review panel
- The date by which an application for an independent review must be made (15 school days from the date on which notice in writing of the governing board's decision is given to parents/carers)
- The name and address to which an application for a review and any written evidence should be submitted
- That any application should set out the grounds on which it is being made and that, where appropriate, it should include reference to how the pupil's special educational needs (SEN) are considered to be relevant to the permanent exclusion
- That, regardless of whether the excluded pupil has recognised SEN, parents/carers have a right to require the LA to appoint a SEN expert to advise the review panel

- Details of the role of the SEN expert and that there would be no cost to parents/carers for this appointment
- That parents/carers must make clear if they wish for an SEN expert to be appointed in any application for a review
- That parents/carers may, at their own expense, appoint someone to make written and/or oral representations to the panel, and parents/carers may also bring a friend to the review
- That, if parents/carers believe that the permanent exclusion has occurred as a result of unlawful discrimination, they may make a claim under the Equality Act 2010 to the first-tier tribunal (special educational needs and disability), in the case of disability discrimination, or the county court, in the case of other forms of discrimination. Also, that any claim of discrimination made under these routes should be lodged within 6 months of the date on which the discrimination is alleged to have taken place

6. An independent review

If parents apply for an independent review, the Local Authority will arrange for an independent panel to review the decision of the governing body not to reinstate a permanently excluded pupil.

Applications for an independent review must be made within 15 school days of notice being given to the parents by the governing body of its decision to not reinstate the pupil. **or**, if after this time, within 15 school days of the final determination of a claim of discrimination under the Equality Act 2010 regarding the permanent exclusion. Any applications made outside of this timeframe will be rejected.

Independent reviews can be held remotely at the request of parents/carers.

A panel of 3 or 5 members will be constituted with representatives from each of the categories below. Where a 5-member panel is constituted, 2 members will come from the school governor category and 2 members will come from the headteacher category. At all times during the review process there must be the required representation on the panel.

- A lay member to chair the panel who has not worked in any school in a paid capacity, disregarding any experience as a school governor or volunteer
- School governors who have served as a governor for at least 12 consecutive months in the last 5 years, provided they have not been teachers or Headteachers during this time
- Headteachers or individuals who have been a Headteacher within the last 5 years

A person may not serve as a member of a review panel if they:

- Are a member of the Local Authority, or governing board of the excluding school.
- Are the Headteacher of the excluding school, or have held this position in the last 5 years
- Are an employee of the Local authority, or the governing board, of the excluding school

Suspensions and Permanent Exclusion Policy

(unless they are employed as a Headteacher at another school)

- Have, or at any time have had, any connection with the Local Authority, school, governing board, parents or pupil, or the incident leading to the suspension, which might reasonably be taken to raise doubts about their impartiality. A clerk will be appointed to the panel.

The panel must consider the interests and circumstances of the pupil, including the circumstances in which the pupil was permanently excluded, and have regard to the interests of other pupils and people working at the school.

Taking into account the pupil's age and understanding, the pupil or their parents/carers will be made aware of their right to attend and participate in the review meeting and the pupil should be enabled to make representations on their own behalf, should they desire to.

Where a SEN expert is present, the panel must seek and have regard to the SEN expert's view of how SEN may be relevant to the pupil's permanent exclusion.

Where a social worker is present, the panel must have regard to any representation made by the social worker of how the pupil's experiences, needs, safeguarding risks and/or welfare may be relevant to the pupil's permanent exclusion.

Where a VSH is present, the panel must have regard to any representation made by the social worker of how any of the child's background, education and safeguarding needs were considered by the headteacher in the lead up to the permanent exclusion, or are relevant to the pupil's permanent exclusion.

Following its review, the independent panel will decide to do 1 of the following:

- Uphold the governing body's decision
- Recommend that the governing body reconsiders reinstatement
- Quash the governing body's decision and direct that they reconsider reinstatement (only if it judges that the decision was flawed)

New evidence may be presented, though the school cannot introduce new reasons for the permanent exclusion or the decision not to reinstate. The panel must disregard any new reasons that are introduced.

In deciding whether the decision was flawed, and therefore whether to quash the decision not to reinstate, the panel must only take account of the evidence that was available to the governing board at the time of making its decision. This includes any evidence that the panel considers would, or should, have been available to the governing body and that it ought to have considered if it had been acting reasonably.

If evidence is presented that the panel considers it is unreasonable to expect the governing body to have been aware of at the time of its decision, the panel can take account of the evidence when deciding whether to recommend that the governing body reconsider reinstatement.

The panel's decision can be decided by a majority vote. In the case of a tied decision, the chair has the casting vote.

Once the panel has reached its decision, the panel will notify all parties in writing without delay.

This notification will include:

- The panel's decision and the reasons for it
- Where relevant, details of any financial readjustment or payment to be made if the governing board does not subsequently decide to offer to reinstate the pupil within 10 school days
- Any information that the panel has directed the governing board to place on the pupil's educational record

7. School Registers

A pupil's name will be removed from the school admissions register if:

- 15 school days have passed since the parents were notified of the suspension panel's decision to not reinstate the pupil and no application has been made for an independent review panel, or
- The parents have stated in writing that they will not be applying for an independent review panel

Where an application for an independent review has been made within 15 school days, the governing board will wait until that review has concluded before removing a pupil's name from the register.

While the pupil's name remains on the school's admission register, the pupil's attendance will still be recorded appropriately. Where alternative provision has been made for an excluded pupil and they attend it, code B (education off-site) or code D (dual registration) will be used on the attendance register.

Where excluded pupils are not attending alternative provision, code E (absent) will be used.

Making a return to the LA

Where a pupil's name is to be removed from the school admissions register because of a permanent exclusion, the school will make a return to the LA. The return will include:

- The pupil's full name
- The full name and address of any parent/carer with whom the pupil normally resides
- At least 1 telephone number at which any parent/carer with whom the pupil normally resides can be contacted in an emergency
- The grounds upon which their name is to be deleted from the admissions register (i.e. permanent exclusion)
- Details of the new school the pupil will attend, including the name of that school and the first date when the pupil attended or is due to attend there, if the parents/carers have told the school the pupil is moving to another school
- Details of the pupil's new address, including the new address, the name of the parent/carer(s) the pupil is going to live there with, and the date when the pupil is going to

start living there, if the parents/carers have informed the school that the pupil is moving house

This return must be made as soon as the grounds for removal is met and no later than the removal of the pupil's name.

8. Returning from a suspension

Re-integration strategy

Following suspension, or cancelled suspension or exclusion, the school will put in place a strategy to help the pupil reintegrate successfully into school life and full-time education. Where necessary, the school will work with third-party organisations to identify whether the pupil has any unmet special educational and/or health needs.

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

- Welcoming the pupil back to school
- Daily support from Well being staff/teaching assistant
- Regular reviews with parents/carers through home/school diary or communication
- Choices contract to agree to expectations in school
- Informing parents/carers of external support e.g. Early Help

Part-time timetables will not be used as a tool to manage behaviour and, if used, will be put in place for the minimum time necessary.

Re-integration meetings

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

The pupil, parents/carers, a member of senior staff, and any other relevant staff will be invited to attend the meeting.

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

(Please see *Appendix 3* for our Suspension Process.)

9. Remote access to meetings

Parents/carers, can request that a governing body meeting, or independent review panel be held remotely.

If the parents/carers don't express a preference, the meeting will be held in person.

In case of extraordinary or unforeseen circumstances, which mean it is not reasonably practicable for the meeting to be held in person, the meeting will be held remotely.

Remotely accessed meetings are subject to the same procedural requirements as in-person meetings.

The governing body should make sure that the following conditions are met before agreeing to let a meeting proceed remotely:

- All the participants have access to the technology that will allow them to hear, speak, see and be seen
- All the participants will be able participate fully
- The remote meeting can be held fairly and transparently
- Social workers and the VSH always have the option of joining remotely, whether the meeting is being held in person or not, as long as they can meet the conditions for remote access listed above.

The meeting will be rearranged to an in-person meeting without delay if technical issues arise that can't be reasonably resolved and:

- Compromise the ability of participants to contribute effectively, or
- Prevent the meeting from running fairly and transparently

10. Monitoring arrangements

The school will collect data on the following:

- Attendance, permanent exclusions and suspensions
- Use of pupil referral units (PRUs), off-site directions and managed moves
- Anonymous surveys of staff, pupils, governors and other stakeholders on their perceptions and experiences

The data will be analysed every half term by the headteacher who will report to the governing body.

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

11. Links with other policies

This suspensions policy is linked to our:

- Expectations and Choices policy (our school Behaviour Belief)
- SEND policy and information report

Appendix 1

Letter to Parents



Red Hall Primary School

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Darlington


Co Durham

DL1 2ST

Tel: 01325 254770

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 @RedHallSchool

 @ RedHallPrimarySchool

DATE

Ref: NAME DOB: XXXXX

EXEMPLAR TEMPLATE SUSPENSION LETTER FOR PARENTS (less than 5 days)

Dear **(name of parent/carer)**,

I am writing to inform you of my decision to suspend **(pupil name)** for a fixed period of **(specify period)**. This means that **(he/she)** will not be allowed in school for this period. The suspension **(begins/began)** on **(date)** and ends on **(date)**.

I realise that this suspension may well be upsetting for you and your family, but the decision to suspend **(pupil name)** has not been taken lightly. **(Pupil name)** has been suspended for this fixed period because **(state reason for suspension. This can be more than one reason but be clear on the reasons and how the behaviour policy has been breached)**.

(For pupils of compulsory school age)

You have a duty to ensure that your child is not present in a public place in school hours during this suspension unless there is reasonable justification for this. I must advise you that you may receive a penalty notice from the local authority if your child is present in a public place during school hours on the specified dates without reasonable justification. It will be for you to show that there is reasonable justification for this.

We will set work for **(pupil name)** during this suspension **(specify the arrangements)**. Please ensure that work set by the school is completed and returned to us promptly for marking.

You should also be aware that if you think the suspension relates to a disability your child has, and you think disability discrimination has occurred, you have the right to appeal, and/or make a claim, to the Special Educational Needs and Disability Tribunal (SENDIST). The address to which appeals should be sent is, SENDIST, 1st Floor, Darlington Magistrates Court, Parkgate, Darlington DL1 1RU.

Additional information and support

Every local area including Darlington has a SENDIAS service who provide information, advice and support to children and young people with SEND, including on any exclusions and can be contacted via IASS@darlington.gov.uk Tel: (01325) 405878

Coram's Child Law Advice service can also support and be accessed through their website <https://childlawadvice.org.uk/information-pages/school-exclusion/> or contacted on 0300 330 5485 from Monday to Friday, 8am – 6pm.

ACE education aim to provide impartial advice and information to parents on state education matters and run a limited service and can be reached on 0300 0115 142 on Monday to Wednesday from 10am to 1pm during term time. Information can be found on the website: <http://www.ace-ed.org.uk/>

Independent Provider of Special Education Advice (known as IPSEA – www.ipsea.org.uk) is a registered charity. It offers free and independent information, advice and support to help get the right education for children and young people with all kinds of special educational needs (SEN) and disabilities.

You and **(pupil name)** are requested to attend a reintegration interview with me **(alternatively, the name of another staff member)** at **(place)** on **(date)** at **(time)**. If that is not convenient, please contact the school to discuss how best we can support your child.

(Pupil Name)'s suspension expires on **(date)** and we expect **(pupil name)** to be back in school on **(date)** at **(time)**.

Yours sincerely

(Name)

Head teacher

The Use of Suspension: At- Glance-Guidelines For Headteachers

Illegal/No grounds	Reasonable Grounds	Strong Grounds
Failure to do homework	Breach of the school's behaviour policy	Serious breach of the school's behaviour policy
Poor academic performance	Serious harm to the education or welfare of the pupil or others	Bringing the school into disrepute through inappropriate or dangerous behaviour or seriously endangering the safety of others
Lateness	Persistently leaving school premises without authorisation	Supplying or using an illegal drug on school premises
Breaches of school uniform or rules on appearance, for example: wearing jewellery.	Bringing the school into disrepute at a public event	Carrying, threatening to use and or using an offensive weapon (including fireworks)
Failing to meet the requirements of the Disability Discrimination Act by excluding disabled pupils without due regard to their disability or treating them less favourably than others because of their disability	Persistent refusal to cooperate with school staff, verbal aggression towards staff, pupils or other members of the school community	Attempted arson on school grounds, destruction or serious damage of school property or buildings
Failing to meet the requirements of the Race Relations Act by excluding pupils or discriminating unfavourably on the grounds of race	Bullying, racial ,sexual or other harassment of staff, pupils or other members of the school community	Repeated threats and highly offensive and abusive language towards school staff, pupils or other members of the school community
		Repeated bullying, racial, sexual or other harassment of staff, pupils or other members of the school community

Appendix 3

Red Hall's Suspension Process

Suspension

- **Internal Suspension** - Parents informed of child's behaviour and choices, and how an internal suspension will be completed by the child as a consequence. Internal suspensions will take place with a member of staff, in a quiet place in school.
- **External Suspension** - Parents will be phoned and asked to come into school. A formal suspension letter will be issued, notifying the parent of the number of days.
- All forms of suspensions will be reported on CPOMS.

Reintegration

- **Internal Suspension** - once the internal suspension has been completed, a member of SLT will meet with the parent / carer of the child, with the child present, and discuss moving forward. This meeting will include discussion of any triggers which may have caused the behaviour, which resulted in the suspension. It is vital the child attends this meeting to share their thoughts and feelings around 'their world'. This will give staff the opportunity to recognise if the behaviour is linked to an unmet need in the child's education or any aspect of the child's home life.
- **External Suspension** - same process as above, with the addition of a lead TA to be present at the reintegration meeting, as this person will lead the reintegration process for the next two weeks. Child's class teacher will also be present. (This may seem like a lot of adults, however it is key that the same situation does not happen again.)

Next steps

- **Internal Suspension** - behaviour will continue to be monitored by SLT and the child's immediate teaching staff. Any changes needing to be made, as a result of the reintegration meeting, will take place the same week. e.g. moving seats, changes to breaktimes and lunchtimes, thinking clouds, visual timetables etc.
- **External Suspension** - SLT / TA will meet with the child at lunchtime, for the first 2 weeks after their external suspension - reducing this time if necessary over the course of the 2 weeks. This offers children the opportunity to share their thoughts and feelings on a daily basis, as well as allowing them to reflect on their choices. Weekly phone calls / face-to-face contact with parents will also take place.

** Please note that this is an overarching reintegration policy, and that alterations for individual cases may need to take place.