

Suspension and expulsion policy

Approved by: Headteacher

Approved on: July 2021

STA Contact: Deputy Headteacher

Revision due: April 2023

1. Rationale

- a. The policy has been written with due regard to the requirements of. 'Exclusion from maintained schools, academies and pupil referral units in England' DfE September 2017 (hereafter referred to as 'the Guidance') and other relevant legislation, statutory guidance and advice (see Appendix 1).
- b. The Guidance explains the headteachers powers to suspend (exclude fixed term) or expel (Permanently exclude). At STA suspensions will be used to ensure the school can put in place sufficient measures to ensure the student will not display the behaviours again. Expulsions will be used only when we have exhausted all measures available to us or there is a risk to the safety of our staff and students.
- c. At all points the procedures the Guidance sets out are followed by this school in relation to exclusion
- d. In its ethos, policies and procedure the school is committed to inclusivity and supporting students in order to avoid exclusion wherever possible. Any decision to exclude will be lawful, reasonable and fair.

2. Reasons for Suspension

- a. In line with the school's Conduct and Consequences Policy, reasons for which suspension may be used includes:
 - i. Actual or potential physical violence by the student towards other students or adults in the school community
 - ii. Conduct that would endanger other students
 - iii. Illegal activities on a school site, while on a school trip, at a place of authorised work experience or on journeys to or from school (e.g. theft, vandalism or possession, use or supply of illegal drugs)
 - iv. Misbehaviour at any time, whether or not the conditions above apply, that: could have repercussions for the orderly running of the school or; poses a threat to another pupil or member of the public or; could adversely affect the reputation of the school
 - v. Abuse or harassment of those protected characteristics listed in Equality Act 2010
 - vi. Harassment, intimidation or verbal abuse of staff or students
 - vii. Seriously disruptive behaviour such as might prevent the proper conduct of a class or classes, seriously interfere with the learning opportunities of others or lead to a breakdown in school discipline
 - viii. Failure to respond to the school's usual range of sanctions
- b. The term of suspension will be dependent on the seriousness of the offence.
 - i. Where a serious offence has occurred, such as a deliberate physical assault, a longer term of exclusion will be used.
 - ii. Serious misbehaviour may result in permanent exclusion. The Headteacher will keep a central record of all suspensions. These records will be presented to the governing body once per term.
- c. When a student refuses to wear school uniform this may be a reason to ask them to 'leave the school premises briefly to remedy breaches of the school's rules on appearance and uniform' as distinct from being suspended from school (School uniform – Guidance for governing bodies, school leaders, school staff and local authorities September 2013)
- d. The suspension of students for reasons of non-attendance will not be used. The Pupil Entitlement Team will use alternative sanctions including use of the courts.

3. Suspensions

- a. The Headteacher has the authority to suspend from school any student for a period of up to 45 school days in one year.
- b. Where suspension is considered appropriate, the details of the suspension, as required by the Guidance, will be communicated to the parents/carers on the day the decision is made, firstly by phone and then confirmed in writing. The School will use the relevant standardised letter, which shall include:

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- i. The reason for the suspension
 - ii. The period of the suspension
 - iii. Arrangements for the education of the student should the suspension last beyond 5 school days
 - iv. The requirement for the parents/carers to ensure that the suspended student is not present in a public place during normal school hours without reasonable justification
 - v. The parents'/carers' right to make representations about the suspension to the governing body; how any representations should be made; and where there is a legal requirement for the governing body to consider the suspension, that parents have a right to attend a meeting, to be represented at that meeting (at their own expense) and to bring a friend
 - vi. The requirement to arrange to meet a member of the Senior Team in school to discuss the student's readmission to school
 - vii. Relevant sources of free and impartial information. This information should include:
 1. A link to the statutory guidance on suspensions
 2. A link to impartial advice for parents
 3. Where considered relevant by the Headteacher, links to relevant local support services
 - c. During the period in which a student is suspended from school, the student should complete work set by the school at home.
 - d. Completed work should be returned to the School for marking.
 - e. At the readmission meeting, undertakings of future good conduct shall be sought and conditions set for re-admittance. The meeting shall include a member of the School's Pastoral Team.
4. Expulsion
 - a. The Guidance states that a decision to expel a student should be taken only:
 - i. in response to serious breaches of the school's conduct and consequences policy and,
 - ii. where allowing the student to remain in school could seriously harm the education or welfare of the pupil or others in the school
 - b. Where consideration is being given to this course of action the Headteacher should consult the Local Authority's and enlist the support of any other appropriate bodies.
 - c. Procedures in the Guidance must be followed during the consideration and the relevant standardised letter will be send once a decision has been made.
5. Consideration of pupils from groups with disproportionately high rates of suspension and expulsion and pupils with additional needs who are particularly vulnerable to the impacts of suspension and expulsion
 - a. The Guidance states the Headteacher should do the following:
 - i. consider early intervention and what extra support might be needed to identify and address the needs of pupils from specific groups in order to reduce their risk of suspension and expulsion.
 - ii. avoid, as far as possible, expelling any pupil with an EHC plan or a looked after child.
6. Responsibilities of the Governing Body
 - a. Clear guidelines are set out in the Guidance for a governing body's duty to consider a suspension or expulsion and these should be followed.
 - b. The governing body reviews certain suspensions and considers any representations made by the parents/carers of the suspended student. The governing body delegates all of its functions in respect of suspensions to a committee consisting of three governors, called the Suspension Hearing Panel.
 - c. The quorum for the Suspension Hearing Panel is three members. If any governor has a connection with the student, or detailed knowledge of the incident(s) that led to the suspension/expulsion, which could affect his or her ability to act impartially, he or she should step down.
 - d. Where a suspension would result in a pupil missing a public examination or national curriculum test, the governing body must, so far as is reasonably practicable, consider the suspension before the date of the examination or test. If it is not practicable for a sufficient number of governors to

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consider the decision before the examination or test, a smaller sub-committee may consider the suspension. In such cases, parents still have a right to make representations to the governing body and must be made aware of this right. Whilst there is no automatic right for a suspended pupil to take an examination or test on the school's premises, the governing body should consider whether it would be appropriate to exercise its discretion to allow a suspended pupil onto the premises for the sole purpose of taking the examination or test.

- e. Where parents dispute the decision of a governing body not to reinstate an expelled pupil, they can ask for the decision to be reviewed by an independent review panel.
7. Where there is an allegation of discrimination (under the Equality Act 2010) in relation to a suspension or expulsion, parents can also make a claim to the First-tier Tribunal (Special Educational Needs and Disability) for disability discrimination, or the County Court for other forms of discrimination. Claims can be made up to six months after the discrimination is alleged to have occurred. Where practicable, schools should retain records and evidence relating to a suspension for at least six months in case such a claim is made.