



# THE DEANERY

Church of England High School and Sixth Form College

## **SUSPENSIONS POLICY**

February 2025

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Author:	Headteacher
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Issue to staff:	Y/ <del>N</del>
Website:	Y/ <del>N</del>

## Aims

To ensure that:

- a) The suspensions process is applied fairly and consistently
- b) The suspensions process is understood by governors, staff, parents and pupils
- c) Pupils in school are safe and that standards of behaviour are maintained

## 2. Legislation and statutory guidance

This policy is based on statutory guidance from the Department for Education:

- a) *'Suspension and permanent exclusion from maintained schools, academies and pupil referral units in England, including pupil movement Guidance for maintained schools, academies, and pupil referral units in England August 2024'*
- b) Section 52 of the Education Act 2002, as amended by the Education Act 2011
- c) The School Discipline (Pupil Exclusions and Reviews) (England) Regulations 2012
- d) Sections 64-68 of the School Standards and Framework Act 1998
- e) Part 7, chapter 2 of the [Education and Inspections Act 2006](#), which looks at parental responsibility for suspended pupils
- f) Section 579 of the [Education Act 1996](#), which defines 'school day'
- g) 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](#)

## 3. Definition

For the purposes of suspensions, a 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.

## 4. The decision to suspend

- a) Only the Headteacher, or Deputy Headteacher in the Headteacher's absence, can suspend a pupil from school. A permanent exclusion will only be taken as a last resort.
- b) All statutory suspensions procedures are followed to ensure that every child receives an education in a safe environment.
- c) A decision to suspend a pupil will be taken only:
  - i. In response to serious or persistent breaches of the school's behaviour policy, **and**
  - ii. If allowing the pupil to remain in school would seriously harm the education or welfare of others
- d) Before deciding whether to suspend a pupil, either permanently or for a fixed period, the Headteacher will:
  - i. Consider all the relevant facts and evidence, including whether the incident(s) leading to the suspension were provoked
  - ii. Allow the pupil to give their version of events
  - iii. Consider if the pupil has special educational needs or disability (SEND)
- e) The reasons below are examples of the types of circumstances that *may* warrant a suspension or permanent exclusion. This list is non-exhaustive and is intended to offer examples rather than be complete or definitive.
  - i. Ongoing/persistent disruptive behaviour and defiance
  - ii. Physical assault against a pupil
  - iii. Physical assault against an adult
  - iv. Verbal abuse or threatening behaviour against a pupil
  - v. Verbal abuse or threatening behaviour against an adult
  - vi. Use, or threat of use, of an offensive weapon or prohibited item that has been prohibited by a school's Behaviour policy
  - vii. Bullying
  - viii. Racist abuse
  - ix. Abuse related to protected characteristics
  - x. Bringing a banned item into school, such as alcohol, drugs, weapons (list not exhaustive)

See appendix 2 for exclusion codes reported to DfE.

## 5. Returning from a Fixed-Period Suspension

- a) Following a fixed-period suspension, a re-integration meeting must be held involving the pupil, parents/carers, a member of senior staff and other staff, where appropriate. Parents/carers are expected to attend the re-integration meeting scheduled by school and to support the positive re-integration of their child following a suspension.
- b) This is a vital meeting in which a re-integration strategy will be discussed and decided, that:
  - Offers the pupil a fresh start
  - Plans for their return to school
  - Helps them to understand the effect of their behaviour on themselves and others
  - Teaches them how to meet the high expectations of behaviour in line with the school culture
  - Fosters a renewed sense of belonging within the school community
  - Builds their engagement with learning
- c) Meetings will only be scheduled within the normal working hours of the school which are 8am to 4pm
- d) Meetings must take place in person only. Re-integration meetings must **not** take place online (e.g. Teams, Zoom) for safeguarding and confidentiality reasons.
- e) The re-integration meeting must take place before the suspended pupil returns to lessons and before the suspended pupil returns to normal social times e.g. break, lunch. A suspended pupil will therefore not be allowed back into lessons or into general circulation around school until the reintegration meeting has taken place.
- f) Where the fixed period suspension has ended but parents are unable to attend school for a re-integration meeting, the pupil must work in the school's internal exclusion unit (RTI – Room to Improve). Failure to do so may result in a further fixed period suspension.
- g) During the re-integration meeting, staff will judge whether the pupil concerned has reflected sufficiently on their behaviour and the extent to which they understand why their behaviour was unacceptable. If this is not the case, the reintegration meeting will have failed and a further fixed period suspension may be issued, with a further attempt at reintegration as soon as possible.
- h) The following measures *may* be implemented when a pupil returns from a fixed-term suspension:
  - > Agreeing a behaviour contract
  - > Putting a pupil 'on report'
  - > Internal exclusion
  - > Reduced timetable
  - > Alternative provision
  - > Off site direction

## 6. Roles and responsibilities

- a) **The Headteacher** will provide the following information, in writing, to the parents of a suspended pupil:
  - i. The reason(s) for the suspension
  - ii. The length of a fixed-period suspension or, for a permanent exclusion, the fact that it is permanent
  - iii. Information about parents' right to make representations about the suspension to the Governing Body and how the pupil may be involved in this
  - iv. Where there is a legal requirement for the Governing Body to meet to consider the reinstatement of a pupil, and that parents have a right to attend a meeting, be represented at a meeting (at their own expense) and to bring a friend
- b) **The Headteacher** will also notify parents by the end of the afternoon session on the day their child is suspended that for the first 5 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 a good reason. Parents may be given a fixed penalty notice or prosecuted if they fail to do this.
- c) **The Headteacher** will immediately notify the Governing Body and the Local Authority (LA) of:
  - o A permanent exclusion
  - o Suspensions resulting in the pupil being suspended for more than 15 school days in a term
  - o Suspensions which would result in the pupil missing a public examination
- d) Information sharing is vital in safeguarding children and promoting their welfare. When a pupil who is Looked After is suspended or excluded, the social worker will be informed without delay, and the Virtual School Head, if the pupil is a LAC37, of the period of the suspension or permanent exclusion and the reason(s) for it.
- e) The social worker and/or the VSH will be invited to reintegration meetings where applicable. They will also be invited to any Governor hearings in respect of pupils who are being considered for permanent exclusion.

- f) For a permanent exclusion, if the pupil lives outside the LA in which the school is located, the Headteacher will also immediately inform the pupil's 'home authority' of the exclusion and the reason(s) for it without delay.
- g) For all other suspensions, the **Headteacher** will report data on suspensions to the Governing Body once a term.
- h) **The Governing Body** - Responsibilities regarding suspensions are delegated to the Governors' Student Discipline Committee, consisting of at least 3 governors. The Student Discipline Committee has a duty to consider the reinstatement of a suspended pupil.
- i) Within 14 days of receipt of a request, the school will provide the Secretary of State and the LA with information about any suspensions in the last 12 months.
- j) For a fixed-period suspension of more than 5 school days, the school will arrange suitable full-time education for the pupil. This provision will begin no later than the sixth day of the suspension. Provision does not have to be arranged for pupils in the final year of compulsory education who do not have any further public examinations to sit.
- k) **The Local Authority** - for permanent exclusions, the LA is responsible for arranging suitable full-time education to begin no later than the sixth day of the exclusion.

## 7. Considering the reinstatement of a pupil

- a) The Governors' Student Discipline Committee will consider the reinstatement of a suspended pupil within 15 school days of receiving the notice of the suspension if:
  - i. The exclusion is permanent
  - ii. It is a fixed-term suspension which would bring the pupil's total number of school days of suspension to more than 15 in one term
  - iii. It would result in a pupil missing a public examination
- b) If requested to do so by parents, the Governors' Student Discipline Committee will consider the reinstatement of a suspended pupil within 50 school days of receiving notice of the suspension if the pupil would be suspended from school for more than 5 school days, but less than 15, in a single term.
- c) Where a suspension would result in a pupil missing a public examination, the Governors' Student Discipline Committee will consider the reinstatement of the pupil before the date of the examination. If this is not practicable, the Chair of the Governing Body (or the Vice-Chair where the Chair is unable to make this consideration) will consider the suspension independently and decide whether or not to reinstate the pupil.
- d) The Governors' Student Discipline Committee can either:
  - i. Decline to reinstate the pupil, or
  - ii. Direct the reinstatement of the pupil immediately, or on a particular date
- e) In reaching a decision, the Governors' Student Discipline Committee will consider whether the suspension was lawful, reasonable and procedurally fair and whether the Headteacher followed their legal duties. They will decide whether or not a fact is true 'on the balance of probabilities', which differs from the criminal standard of 'beyond reasonable doubt', as well as any evidence that was presented in relation to the decision to suspend. Minutes will be taken of the meeting, and a record of evidence considered kept. The outcome will also be recorded on the pupil's educational record.
- f) The Governors' Student Discipline Committee will notify the Headteacher, parents and the LA of its decision, along with reasons for its decision, without delay.
- g) Where an exclusion is permanent, the Governors' Student Discipline Committee's decision will also include the following:
  - i. The fact that it is permanent
  - ii. Notice of parents' right to ask for the decision to be reviewed by an independent review panel, and:
    - The date by which an application for an independent review must be made
    - The name and address to whom an application for a review should be submitted
    - That any application should set out the grounds on which it is being made and that, where appropriate, reference to how the pupil's SEND are considered to be relevant to the exclusion
    - That, regardless of whether the excluded pupil has recognised SEND, parents have a right to require the LA to appoint an SEND expert to attend the review
    - Details of the role of the SEND expert and that there would be no cost to parents for this appointment

- That parents must make clear if they wish for an SEND expert to be appointed in any application for a review
  - That parents may, at their own expense, appoint someone to make written and/or oral representations to the panel, and parents may also bring a friend to the review
- l) That if parents believe that the exclusion has occurred as a result of 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. A 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

## 8. Independent Review

- a) If parents apply for an independent review, the LA will arrange for an independent panel to review the decision of the Governing Body not to reinstate a permanently excluded pupil.
- b) Applications for an independent review must be made within 15 school days of notice being given to the parents by the Governors' Student Discipline Committee of its decision to not reinstate a pupil.
- c) 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 governors' category and 2 members will come from the Headteacher category.
- i. 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
  - ii. 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
  - iii. Headteachers or individuals who have been a Headteacher within the last 5 years
- d) A person may not serve as a member of a review panel if they:
- i. Are a member of the LA or Governing Body of the excluding school
  - ii. Are the Headteacher of the excluding school, or have held this position in the last 5 years
  - iii. Are an employee of the LA, or the Governing Body, of the excluding school (unless they are employed as a Headteacher at another school)
  - iv. Have, or at any time have had, any connection with the LA, school, Governing Body, parents or pupil, or the incident leading to the exclusion, which might reasonably be taken to raise doubts about their impartiality
  - v. Have not had the required training within the last 2 years
- e) A clerk will be appointed to the panel.
- f) The independent panel will decide one of the following:
- i. Uphold the Governing Body's decision
  - ii. Recommend that the Governing Body reconsiders reinstatement
  - iii. Quash the Governing Body's decision and direct that they reconsider reinstatement (only when the decision is judged to be flawed)
- g) The panel's decision can be decided by a majority vote. In the case of a tied decision, the chair has the casting vote.

## 9. School registers

- a) A pupil's name will be removed from the school admissions register if:
- i. 15 school days have passed since the parents were notified of the panel's decision to not reinstate the pupil and no application has been made for an independent review panel, or
  - ii. The parents have stated in writing that they will not be applying for an independent review panel
- b) Where an application for an independent review has been made, the school will wait until that review has concluded before removing a pupil's name from the register.
- c) Where alternative provision has been made for a suspended pupil and they attend it, code B (education off-site) or code D (dual registration) will be used on the attendance register. Where suspended pupils are not attending alternative provision, code E (absent) will be used

## Appendix: DfE Exclusion Codes

Code	Description
PP	Physical assault against a pupil
PA	Physical assault against an adult
VP	Verbal abuse / threatening behaviour against a pupil
VA	Verbal abuse / threatening behaviour against an adult
OW	Use or threat of use of an offensive weapon or prohibited item
BU	Bullying
RA	Racist abuse
LG	Abuse against sexual orientation and gender identity
DS	Abuse relating to disability
SM	Sexual misconduct
DA	Drug and alcohol related
DM	Damage
TH	Theft
DB	Persistent disruptive behaviour
MT	Inappropriate use of social media or online technology