



# St Bartholomew's CE Primary School

## Suspension and Exclusion Policy

St Bartholomew's Church of England Primary School is a caring and warmly inclusive community where there is no ceiling to learning and everyone is encouraged to flourish through rich learning experiences. Our Winged Learners and strong Christian Values enable all our children to aim high in everything they do.

### Introduction

St Bartholomew's CE Primary School is an inclusive school which aims to promote equality in all aspects of school life. This policy is to be read alongside the school Behaviour Policy and the DofE guidance 'Suspension and permanent exclusion from maintained schools, Academies and pupil referral units in England' (DofE 2022).

The school takes a positive approach to encouraging good behaviour, however recognises that discipline in the school is essential to ensure that all pupils can benefit from the opportunities provided by education. The Government supports Headteachers in using suspension exclusion as a sanction where it is warranted. Nevertheless, it is important to say that the suspension or exclusion of a pupil, from St Bartholomew's CE Primary School will only be used as a last resort. The school recognises that it is responsible for communicating to pupils, staff and parents, its expectations for standards of behaviour. The school has policies and procedures in place to promote good behaviour and appropriate conduct and strives to foster good parental engagement.

Our Local Authority (LA) has an expectation that schools will have employed a range of measures to prevent the need for suspension. It is the responsibility of all individuals working with pupils within the school to ensure that no exclusion will be initiated without first exhausting other strategies or in the case of a serious incident, a thorough investigation. Whilst exclusion may still be an appropriate sanction, the Headteacher should investigate whether any contributing factors may have led to the incident of poor behaviour e.g. pupil has suffered bereavement, has mental health issues or has been subject to bullying.

Within the school environment there are a range of resources available that can assist in the assessment and management of behavioural issues some of which are listed below:

- Pupil/student behaviour risk assessments
- Nurture Groups
- Team Around the Child
- Early intervention to address underlying causes of potentially disruptive behaviour
- Assessments of appropriate provision of support within the school

Only the headteacher (or those acting on their behalf such as the Deputy Headteacher) of a school can suspend or permanently exclude a pupil on disciplinary grounds. A pupil may be suspended for one or more fixed periods (up to a maximum of 45 school days in a single academic year), or permanently excluded.

When establishing the facts in relation to a suspension or permanent exclusion decision the Headteacher must apply the civil standard of proof, i.e., 'on the balance of probabilities' it is more likely than not that a fact is true, rather than the criminal standard of 'beyond reasonable doubt.' This means that the headteacher should accept that something happened if it is more likely that it happened than that it did not happen.

### Types of Suspension and Inclusion

#### *Internal Suspension*

An internal suspension means that a pupil can come to school but will not be with their peers for the period of their suspension, including at breaktimes. It is likely that they will be with a member of SLT or with another class during their internal suspension

#### *Suspension*

Pupils are not allowed into school for a fixed period of time, up to 5 days and no more than 45 days in a school year.

#### *Permanent Exclusion*

A child is no longer allowed to attend school and must be educated elsewhere, most likely at another school.



## Suspensions

A suspension (including internal) may be used to provide a clear signal of what is unacceptable behaviour as part of the school's behaviour policy and show a pupil that their current behaviour is putting them at risk of permanent exclusion. There are a number of reasons for suspension. The list below is not exhaustive:

- A serious breach of the school's values, rules or policies.
- A risk of harm to the education or welfare of the pupil or others in the school.
- Physical or verbal assault against a pupil, member of staff or others in the school.
- Serious damage to school property
- Theft
- Weapons in school
- Persistent disruptive behaviour
- Persistent bullying
- Indecent behaviour
- Racial harassment
- Unacceptable behaviour which has previously been reported and for which school sanctions and other interventions have not been successful in modifying the student's behaviour.

However, if a pupil exhibits any of the behaviours above, this does not necessarily mean they will be suspended.

A suspension may be used in response to a serious breach of school rules or policies. In such a case, the Headteacher will investigate the incident thoroughly and consider all the evidence to support the allegation, taking account of all the school policies. The child will be encouraged to give their version of events and the Headteacher will check whether the incident may have been provoked e.g. by bullying or racial harassment. However, even if provocation has occurred, there may still be a suspension depending on the nature of the behaviour.

A suspension will be for a period of time from half a day to 5 days, dependent on the severity and persistence of the behaviour and cumulative incidents. Although there is no set guidance for the length of a suspension, the school will try to be consistent in their approach. The school will consider previous suspensions when imposing a new suspension – for example if a child was already suspended for one day for verbally abusing a member of staff, it is possible this would be increased to 2 days if it happened again.

Children can be suspended for 1 or more fixed periods, up to a maximum of 45 school days in any one school year. A suspension may be extended or converted to a permanent exclusion in exceptional cases, usually where further evidence has been uncovered.

## Procedure for Suspension (not including internal)

There is a clear procedure for suspension:

- Headteacher takes the decision to exclude a pupil for a fixed period.
- Contact the parent/carer ideally by telephone to arrange the collection and supervision of the pupil. If the parents is not contactable by phone, alternative methods such as email and school messaging systems will be used.

The Headteacher must give written notice to the parents informing them of:

- The precise period and the reasons for the exclusion
- The parents' duties during the first 5 days
- The parents right to make a representation to the governing body
- The person the parent should contact if they wish to make such representations
- The arrangement to set and mark work for the pupil
- Details of the reintegration interview if required.

The school will use the model letter as provided by the LA. When returning back to school a reintegration interview may be arranged with the Headteacher or a senior member of staff and the parent and child on the school premises. If the parent fails to attend, the school must keep a record of the failure as this could be taken into account at court in deciding whether to impose a parenting order.



## Permanent exclusion

The school considers permanent exclusion to be a very serious step and the Headteacher will need to investigate the incident thoroughly before this decision is made. Therefore, a child may be suspended initially, but on investigation, this may be converted to a permanent exclusion. A permanent exclusion will be seen as a last resort, or it will be in response to a very serious breach to school rules and policies such as:

- Serious actual or threatened violence against another pupil or a member of staff.
- Carrying an offensive weapon
- Persistent bullying

And

- where allowing the pupil to remain in school would seriously harm the education or welfare of the pupils or staff in the school.

## Procedure for Making a Permanent Exclusion

There is a clear procedure for permanent exclusion:

- Headteacher takes the decision to exclude a pupil permanently.
- Contact the parent/carer immediately ideally by telephone.
- The Headteacher must give written notice to the parents (using the LA template letter).
- The Headteacher must inform the governing body and LA within 1 day on the appropriate form
- The school has a duty to arrange full time education from and including day 6 of the exclusion.
- The school has a duty to provide full time education for a looked after child from day 1.
- On receiving notice of the exclusion, the governing body must convene a meeting within 15 school days to review the exclusion and to consider reinstatement. They must invite the parent, the Headteacher and a LA Social Inclusion officer. Papers including written statements must be circulated at least 5 days before the meeting.
- The governing body may ask for advice from the LA officer, but must make the decision alone, asking other parties to withdraw. The clerk may remain.
- The governing body must inform the parent, Headteacher and LA officer of their decision in writing within 1 day of the hearing stating reasons.
- LA to contact parent within 3 working days indicating the latest date by which a review can be lodged.
- The child to be removed from the register only when the review process is complete.
- Where parents dispute the decision of a governing body not to reinstate an excluded pupil, they can ask for this decision to be reviewed by an independent review panel.

It is the Chair of Governors responsibility to direct the governing body of the school to details of their responsibilities when considering exclusions. Details of Governor responsibilities regarding exclusions can be found in "Suspensions and Permanent Exclusions from maintained schools, Academies and pupil referral units in England (2022)".

## LA Guidance

The school commits to following the LA timeline in the case of Permanent Exclusions.

### **Timeline for schools If a permanent exclusion is being considered:**

1. Alert LA representative- Allistare Smedley (phone/email) Copy in Gavin Thomas/Tracey Williams/Mark Holdaway/Rhianedd Hughes/Richard Barker (Include name and DOB of pupil)
2. Alert current key professionals e.g. EP/Primary Mental Health Worker/Family Coach
3. If a CiC the Virtual School Lead also needs to be informed (Sam Wilson)
4. If a pupil has a CP Plan the Social Worker needs to be informed
5. If a pupil has an EHCP then SEN Casework Officer (CWO) need to be informed
6. Consider longer suspension initially to allow options to be explored
7. Explore options: managed move/alternative timetable/alternative provision/use other school's Inclusion Provision as alternative to permanent keeping an awareness of the experience for the CYP

## Behaviour Outside School

Pupils' behaviour outside school on school trips or at sports fixtures etc , is subject to the school behaviour policy. Poor behaviour in such circumstances will be dealt with as if it has taken place in school.



For behaviour outside school, not on school business, it is at the discretion of the Headteacher whether or not to suspend or exclude a pupil if there is a clear link between that behaviour and maintaining good behaviour and discipline among the pupils as a whole, or if it is deemed to be damaging to the reputation of the school.

### **Pupils with Special Educational Needs and Disabled pupils**

The school must take account of any special educational needs when considering whether or not to exclude a pupil. We have a duty not to discriminate against disabled pupils by excluding them from school for behaviour related to their disability. Headteachers and the governing body must take into account their statutory duties in relation to SEN when administering the exclusion process. This includes having regard to the SEN Code of Practice and a Duty of Care.

The Headteacher will take reasonable steps to ensure that the school responds to a pupil's disability so that the pupil is not treated less favourably, this includes a duty to make reasonable adjustments to policies and practices.

Reasonable steps could include:

- Differentiation in the school's behaviour policy
- Developing strategies to prevent the pupil's behaviour
- Requesting external support for the child
- Staff training

St Bartholomew's CE Primary School recognises that it should engage proactively with parents in supporting the behaviour of its pupils with additional needs and is aware that whether or not a school recognises that a pupil has SEN, all parents have a right to request the presence of an SEN expert if their case is to be reviewed by an independent panel.

If the school has concerns about the behaviour, or risk of exclusion, of a child with additional needs such as a pupil with an EHC plan or a looked after child, it is aware that it should consider what additional support may be required. Where a pupil has an EHC plan, schools should consider requesting an early annual review or interim/emergency review.

### **Temporary Reduced Timetable**

In some cases, the school may consider it appropriate to the needs of a particular child, to offer a reduced timetable for a limited period.

In this situation, paramount consideration would be given to safeguarding the child and a risk assessment would be carried out based on what knowledge the school has. The timetable would be time-limited with a clear plan to increase attendance back to full time, involve professionals working with the child/family, and ensure that parents have given their full consent.

### **Marking Attendance Registers Following Exclusion**

When a pupil is excluded, he/she should be marked absent using Code E. Where alternative provision is made, and pupils attend it, they will be marked using either code B (education off site) or code D (dual registration)

**Policy Reviewed By:** Katie Blood, Headteacher

**Date Ratified By Governors:** March 2022

**Date of Next Review:** March 2024