

Suspension and Permanent Exclusions Policy

2024-25

‘Because Children Deserve Better’

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1. Aims

Our school aims to:

- Ensure that the suspension process is applied fairly and consistently
- Help the board, staff, parents and learners understand the suspension process
- Ensure that learners in school are safe and happy
- Ensure all suspensions and permanent exclusions are carried out lawfully

We will not suspend or exclude learners unlawfully by directing them off site, or not allowing learners to attend school:

- without following the statutory procedure or formally recording the event, e.g. sending them home to 'cool off';
- because they have special educational needs and/or a disability (SEND) that the school feels unable to support;
- due to poor academic performance;
- because they haven't met a specific condition, such as attending a reintegration meeting;
- by exerting undue influence on a parent to encourage them to remove their child from the school.

2. Legislation and Guidance

The following legislation & guidance have informed the creation of this policy. Some of these documents are not statutory for independent schools however Pivot have used these to inform best practice:

- The Education Act 2002, as amended by the Education Act 2011
- [The School Discipline \(Learner Exclusions and Reviews\) \(England\) Regulations 2012](#)
- The [Education \(Provision of Full-Time Education for Excluded Learners\) \(England\) Regulations 2007](#), as amended by [The Education \(Provision of Full-Time Education for Excluded Learners\) \(England\) \(Amendment\) Regulations 2014](#)
- Part 7, chapter 2 of the [Education and Inspections Act 2006](#), which sets out parental responsibility for excluded learners
- Section 579 of the Education Act 1996, which defines 'school day'
- Equality Act 2010
- [Children and Families Act 2014](#)
- DfE 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, May 2023
- Part 3, Para 9 and Exclusion element of Part 6 (32) (3)a of the Education (Independent School Standards Compliance Record) 2014 (England (Amendment) Regulations)

3. Definitions

We know that learning and development take place more effectively and rapidly when learners are in school. However, there may be occasions when it is not safe for someone to be in school for a short period of time and the Headteacher may decide to suspend a learner.

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

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

Off-site direction – when the Board requires a learner to attend another education setting temporarily.

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

4. Roles, Responsibilities and Procedures

The Directors

To ensure our inclusive ethos is maintained by the Directors of Pivot, or their designated representative they will be consulted before any suspension, permanent exclusion or termination of placement is considered by Headteachers. This process enables a period of reflection and discussion about suitable, inclusive alternatives.

The Headteacher

Suspension can only be authorised by the Headteacher. In their absence, the Headteacher can delegate the decision to another senior leader in school. Any decision to suspend a learner must be discussed with a Director. If a learner with a named social worker or who is LAC is at risk of suspension or permanent exclusion the Headteacher must inform the social worker and/or VSH as early as possible so discussions can take place regarding support and next steps.

Reasons for Suspension

Keeping everyone in school safe sometimes means that a learner will need to be removed from a situation or suspended from school. We use suspension only as a last resort. Sometimes this is the only suitable response available to a Headteacher if all other internal strategies and approaches in our Behaviour Policy have been exhausted or will not be appropriate.

A decision to suspend will usually be taken if allowing a learner to remain in school would:

- cause serious harm to the health, safety or welfare of others in the school.

Suspension is an extreme sanction and an absolute last resort at Pivot.

Procedure for Suspension

- The Headteacher will review all available written evidence, speak to all concerned, including the learner, before reaching a decision to suspend.
- The Headteacher should consider all the relevant facts and verified evidence to support the allegations made and consider other Pivot policies and whether any incidents were provoked by others.
- The Headteacher will discuss their findings with a Pivot Director.
- If a decision to suspend has been agreed Parents/Carers will be contacted immediately to discuss the situation and reasons for suspension.
- A letter will be sent to Parents/Carers giving details of the suspension, length, and date the suspension will end. The letter will remind Parents/Carers that for the first five days of any suspension, they are legally responsible for the whereabouts of their child. If their child is found in a public place during school hours, they could be issued with a penalty notice. Parents/Carers can designate a responsible adult, for example, an aunt, to fulfil this duty.

- A letter will be sent to the learners Local Education Authority informing them of the suspension, including details of the length and reason for the suspension.
- If the learner has a social worker, a letter will be sent to them informing them of the suspension including details of the length and reason for the suspension.
- If the learner is LAC, a copy of the suspension letter will be sent to the learners Virtual School informing them of the suspension including details of the length and reason for the suspension.
- Reasonable steps will be taken to set and mark work provided during the suspension.
- Any suspension will be appropriately recorded on the learner's file.
- The exclusion letter will provide information about the right to challenge a decision and any right to appeal through The Pivot Complaints Policy. The letter will contain the name and contact details of whom an appeal can be lodged.

Return to School Restorative Meeting

- A Return to School Meeting will be held at the end of the suspension period.
- The meeting will be attended by the Headteacher or other senior leaders, the Parents/Carers and the learner.
- Strategies will be agreed to support a smooth and appropriate return to school. These may include attending Restorative Reset sessions after the school day.
- During this meeting there will be a review of the situation leading to suspension with the learner and discussions about how things could have been handled differently to avoid further suspensions. Staff will identify supportive strategies to help the learner with modifying and addressing their behaviour and avoiding the need for further suspension. There may also be a need to review support plans.
- In some cases, it may be appropriate to call an early review of a learners EHCP should they have one.

The Procedure for Permanent Exclusion

- The Headteacher should follow the steps outlined in the process for suspension above, setting out clearly that the learner is at risk of being permanently excluded and this is a consideration due to serious health and safety concerns.
- Where there have been multiple previous suspensions, then the Headteacher will have ensured regular communication with Parents/Carers, and Local Authority professionals about potential next steps.
- The Headteacher will discuss the rationale with The Directors before the decision is made or communicated to Parents/Carers and the Local Authority.
- The exclusion letter will provide information about the right to challenge a decision and any right to appeal through The Pivot Complaints Policy. The letter will contain the name and contact details of whom an appeal can be lodged.

Terminating a Placement at Our School

In rare circumstances, the Headteacher and other professionals in the team around the child might agree that the school can no longer meet the needs of a learner. Sometimes a learner's needs and personal situation may change significantly, leading them to require a very different type of provision. In these situations, permanent exclusion is not usually considered but a well-managed placement move might be appropriate. If the learner has an EHCP and early review within 5 days of the decision to terminate will be arranged.

Professionals' meetings will take place, where possible including Parents/Carers. Potential

next steps will be agreed with the Local Authority. Pivot or the Local Authority may give notice to terminate the placement. If a placement move is in the best interests of the learner, then giving formal, written notice to the relevant Local Authority is usually a final decision. This process will be managed with all relevant parties' involvement to ensure a supportive move from the school.

During this time, the Headteacher will try to maintain a full-time programme of education for the learner. If this is not possible, then work will be provided, or remote learning will be considered.

5. Monitoring Arrangements

The school will collect data on the following:

- Attendance, permanent exclusions and suspensions
- Use of part time timetables, EOTAS programmes and Pivot 6 cohorts
- Anonymous surveys of staff, learners, and other stakeholders on their perceptions and experiences

The data will be analysed termly by Headteachers and School Senior Leaders who will report back to the Board.

The data will be analysed from a variety of perspectives including:

- At site level
- At school level
- By age group
- By protected characteristic

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

Pivot Group will work with its academies to consider this data, and to analyse whether there are patterns across the group, recognising that numbers in any one academy may be too low to allow for meaningful statistical analysis.

6. Linked Policies

This exclusions policy is linked to our:

- Behaviour Policy
- SEND Policy and Information Report
- Attendance Policy
- Child Protection and Safeguarding Policy
- Complaints Policy