



# HERNE VIEW CHURCH OF ENGLAND PRIMARY SCHOOL

*including Apple Orchard Pre-School*

## Suspension and Permanent Exclusion

Review Date	Version No	Date of last Review
For electronic approval September 2023	1	N/A

Date approved by the Board	Chair	Signature
12 October 2023	Guy Adams	

### *Our Vision*

Building for tomorrow, we share knowledge and foster aspirations through acceptance and welcome. We strive to strengthen our connection to the whole community through dignity and respect. Children are the heart of Herne View Primary and we celebrate the worth and uniqueness of all.

'...let your light shine.' Matthew 5:16

Care

Friendship

Respect



# Suspension and Permanent Exclusion Policy

## 1. Our school aims to ensure that:

The suspensions/exclusions process is applied fairly and consistently. The suspensions/exclusions process is understood by governors, staff, parents and pupils and pupils in school are safe and happy. Pupils do not become NEET (not in education, employment or training).

## 2. Legislation and statutory guidance

This policy is based on statutory guidance from the Department for Education [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/1181584/Suspension\\_and\\_permanent\\_exclusion\\_guidance\\_september\\_23.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1181584/Suspension_and_permanent_exclusion_guidance_september_23.pdf)

## 3. The decision to exclude

Only the headteacher can suspend or permanently exclude a pupil from school. A permanent exclusion will be taken as a last resort.

Our school is aware that off-rolling is unlawful. Ofsted defines off-rolling as: "...the practice of removing a pupil from the school roll without a formal, permanent exclusion or by encouraging a parent to remove their child from the school roll, when the removal is primarily in the interests of the school rather than in the best interests of the pupil."

We are committed to following all statutory suspension and exclusion procedures to ensure that every child receives an education in a safe and caring environment.

A decision to suspend/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 suspend/exclude a pupil, the Headteacher will:

- Consider all the relevant facts and evidence, including whether the incident(s) leading to the suspension/exclusion were provoked
- Allow the pupil to give their version of events
- Consider if the pupil has special educational needs (SEN)

## 4. Definition

For the purposes of exclusions, 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.

## 5. Roles and responsibilities

### 5.1 The Headteacher

Informing parents. The Headteacher will immediately provide the following information, in writing, to the parents of a suspended/excluded pupil:

- The reason(s) for the suspension/exclusion
- The length of a suspension or, for a permanent exclusion, the fact that it is permanent

- Information about parents' right to make representations about the suspension/exclusion to the governing board and how the pupil may be involved in this
- Where there is a legal requirement for the governing board 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

The Headteacher will also notify parents 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 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.

If alternative provision is being arranged, the following information will be included when notifying parents of an exclusion:

- 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 required by the pupil to identify the person they should report to on the first day

Where this information on alternative provision is not reasonably ascertainable by the end of the afternoon session, it may be provided in a subsequent notice, but it will be provided no later than 48 hours before the provision is due to start. The only exception to this is where alternative provision is to be provided before the sixth day of an exclusion, in which case the information can be provided with less than 48 hours' notice with parents' consent.

Informing the governing board and local authority:

The Headteacher will immediately notify the governing board and the local authority (LA) of:

- A suspension or permanent exclusion
- Exclusions which would result in the pupil being excluded for more than 5 school days (or more than 10 lunchtimes) in a term
- Exclusions which would result in the pupil missing a public examination

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.

## **5.2 The Governing Board Responsibilities**

Governing boards should be challenging and evaluating what their school's data is telling them about their school. Boards carefully consider the level of pupil moves and the characteristics of pupils who are moving on any permanent exclusions to ensure the sanction is only used when necessary as a last resort.

Governing boards consider:

- Effectiveness and consistency in implementing the school's behaviour policy
- 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 ensure 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
- Understanding the characteristics of 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.

### **5.3 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.

### **6. Considering the reinstatement of a pupil**

The Appeals Committee will consider the reinstatement of an excluded pupil within 15 school days of receiving the notice of the exclusion if:

- The exclusion is permanent
- It is a fixed-term suspension which would bring the pupil's total number of school days of suspension/exclusion to more than 15 in a term
- It would result in a pupil missing a public examination If requested to do so by parents, the Appeals Committee will consider the reinstatement of an 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.

See grid at end of policy for a summary of the Governing Body's duties to consider reinstatement.

### **7. Returning from a fixed-term suspension**

Following a fixed-term suspension, a re-integration meeting will be held involving the pupil, parents, a member of senior staff and other staff, where appropriate.

The following measures may be implemented when a pupil returns from a fixed-term suspension:

- Agreeing a behaviour contract
- Agreed additional contact/communication with families regarding their child's behaviour monitoring

### **8. Monitoring arrangements**

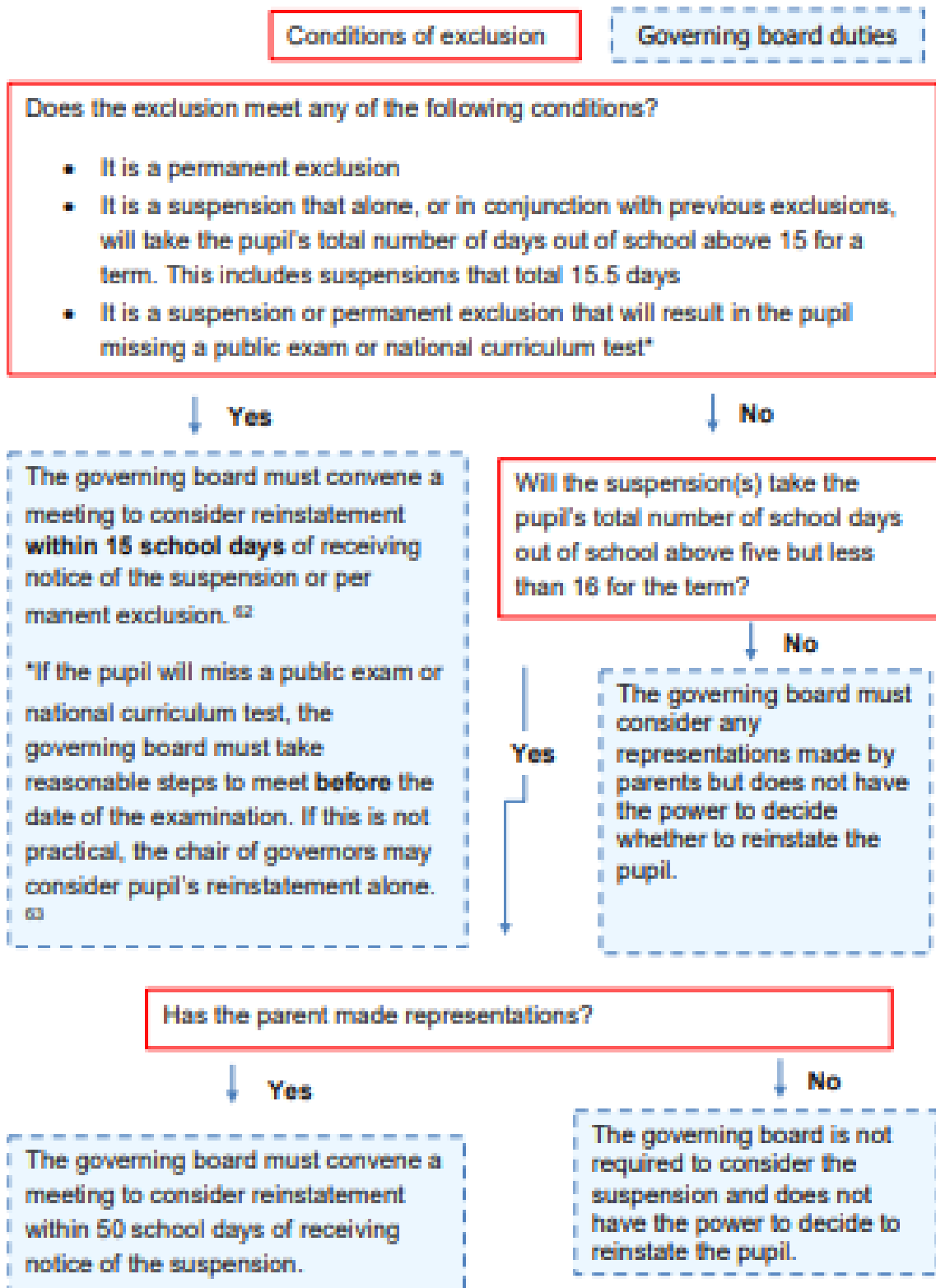
The Headteacher monitors the number of suspensions and exclusions every term and reports back to the governors. They also liaise with the local authority to ensure suitable full-time education for excluded pupils. This policy will be reviewed every year. At every review, the policy will be shared with the governing board.

### **9. Links with other policies**

This exclusions policy is linked to our

- Behaviour Policy
- SEND and Disability Policy
- Equality Policy

## A summary of the governing board's duties to consider reinstatement<sup>61</sup>



<sup>61</sup> Parents on diagram refer to parent if the pupil is under 18 or the excluded pupil, aged 18 or over.

<sup>62</sup> The governing board may delegate its functions to consider a suspension or permanent exclusion to a designated committee.

<sup>63</sup> The ability for a chair to review in the case of public exams refers only to maintained schools.