



Academy St James

Suspension and Exclusion Policy 2023-2024



"Show love in everything you do." 1 Corinthians 16:14



"Encourage one another and build each other up." 1 Thessalonians 5:11

Policy Creation: November 2023
Policy Review Date: November 2024

'Those who hope in the Lord will renew their strength and they will soar on wings like eagles.'

Vision Statement

Our school is a welcoming Church of England Primary School where children and their families always come first. We value our children's **feelings, successes** and **attitudes** to self and others as equal to their learning. We believe in them and help **nurture** a love of learning supported by our belief in **community, contributing** to a better world and life in all its fullness.

Good behaviour in schools is essential to ensure that all pupils benefit from the opportunities provided by education. Therefore, the government recognises that school exclusions, managed moves and off-site direction are essential behaviour management tools for headteachers and can be used to establish high standards of behaviour in schools and maintain the safety of school communities. (DfE Suspension and Permanent Exclusion Guidance Sept 2022)

The Need for a Policy

The Academy St James promotes positive behaviour through the example set by adults and student role models, the Behaviour Policy and by having high expectations. Learning that there are consequences to inappropriate behaviour is an important aspect of education and the behaviour strategy has clear sanctions for when expectations are not met.

There are occasions when it is necessary and appropriate to suspend students for a fixed period, or, in very rare cases, permanently exclude. In most cases permanent exclusion will be the last resort after a full range of measures have been tried to improve the student's behaviour and engender a sense of personal responsibility.

Whenever suspensions or permanent exclusions are used, the DfE Suspension and Permanent Exclusion Guidance Sept 2022 is followed. At , students identified as being at risk of suspension and permanent exclusion are provided with strategies to meet individual needs so that school leaders can support the student and their family as much as possible. Permanent exclusion is viewed as the strongest sanction possible and is available to the school only through the authority of the Headteacher, or Deputy Headteacher in their absence.

A decision to exclude a student from the school should be taken only if

- a) There is a serious breach or persistent breaches of the Behaviour Policy and
- b) Where allowing the pupil to remain in school would seriously harm the education or welfare of the pupil or others such as staff or pupils in the school.

Purpose

The purpose of this policy is to set out the process for fixed term suspensions and permanent exclusions for the benefit of parents, staff and students to ensure a consistent and fair process for all concerned.

Parents

The definition of a parent for the purposes of the Education Act is broadly drawn. In addition to the child's birth parents, references to parents in this guidance include any person who has parental responsibility (which includes the local authority where it has a care order in respect of the child) and any person (for example, a foster carer) with whom the child lives.

Prevention of Suspension and Permanent Exclusion

Managing serious or persistent problems

- School leaders accept that it is the behaviour that is the problem and not the child
- The behaviour of children giving cause for concern will be assessed
- Triggers or antecedents will be established
- Individual programmes will be planned to help modify inappropriate behaviour
- The child may be referred to the Behaviour Support Service at Bradford Local Authority for additional support, e.g. anger management training.
- Parents will be invited into school to discuss their child's behaviour with their child's class teacher and the Behaviour leader. An individual Behaviour Support Plan will be drawn up which takes parents' views into consideration. Parents will then be kept informed of their child's progress.

The aim of the Behaviour Policy is:

- To help pupils realise the appropriate behaviours and provide strategy/guidance on making the right behaviour choice.
- To promote positive behaviour
- To help support behaviour modification if pupils persist in making 'wrong' choices with their behaviour

To support good behaviour school staff ensure that the school rules are followed and these are regularly reinforced in class and Collective Worship to ensure that the children are clear about the levels of expectation of their behaviour and reviewed to ensure consistent use across the whole school.

Behaviour Support Plans

These will be used to help pupils at risk of suspension and permanent exclusion in order to support them to make correct behaviour choices.

Behaviour Support Plans will:

- Identify objectives and address no more than three at a time
- Include strategies for managing the environment, the class or group, and the activities which give rise to the inappropriate behaviours
- Emphasise teaching the child alternative positive behaviours
- Specify the behaviour that is unacceptable and the consequence should it occur

- Include some form of assessment e.g. chart to grade behaviour during a session, to encourage responsibility for own behaviour

Classroom teaching and learning must be able to take place undisturbed in classrooms. If this is prevented from happening by an individual or group, the behaviours must be tackled.

Adult-led reflection time

It is the decision of the Headteacher, or Deputy Headteacher in their absence, as to whether to implement adult-led reflection time following an incident (see behaviour policy)

This will mean that the pupil will remain in school, with a member of school staff to re-regulate. Parents will be informed if a child requires adult-led reflection time.

Alternatives to suspension and exclusion include:

- Restorative justice process; whereby the harm caused to the victim can be redressed
- Internal arrangement; removal from class for a set period to be taught in the Hive or other appropriate room.
- School can use the Step Out programme whereby through relationships with another school or provision support is sought.
- Change of timetable to support the pupil have success in the current setting.

A reduced timetable:

When might a reduced timetable be used?

A part time timetable is not a suspension but is planned for after thorough discussion with the senior leadership team. When a pupil is educated on a part time basis, they should be marked as absent using **Code B**

This is not an exhaustive list but it is likely that a pupil being considered for a reduced timetable would fall within one of these 3 categories:

- Part of an in-school support package

School, parent/carer and other professionals agree that a short-term (no longer than 6 weeks) reduced timetable would support a student who has become disaffected, to regain success. This would be a closely monitored intervention to address and manage the impact of significantly challenging behavioural, emotional or social needs.

- Medical reasons

A student has a serious medical condition where recovery is the priority outcome. These arrangements would be part of a “medical plan” agreed between the school and health professionals. Individual cases will be looked at to ensure a good education for children who cannot attend school because of health needs before offering a reduced timetable for this reason.

- Reintegration

As part of a planned reintegration into school (no longer than 6 weeks) following an extended period out of school e.g. following an exclusion, nonattendance, school refusal etc.

1. Fixed Term Suspension

Fixed Term Suspension means that a student is not allowed to come to the school for a fixed period of time. Students can also be suspended for lunchtime periods if behaviour at lunchtime is disruptive. A student may be suspended for one or more fixed periods (up to a maximum of 45 school days in an academic year).

Suspension will not be used for minor incidents, poor academic performance or punctuality concerns, etc.

The length of fixed term suspension is at the discretion of the Headteacher but will be for the shortest time deemed appropriate.

Marking attendance registers following exclusion

When a pupil is excluded for a fixed term, they should be marked as absent using Code E.

Procedure after a decision to fixed term suspend a student has been made

1. Parents/carers will be informed by telephone that a decision to suspend has been made. This will be followed by a letter of confirmation outlining the reasons for the decision and the Governors' Pupil Disciplinary Committee process.
2. Any suspension that leads to a student totalling over 15 school days suspension in a term must be referred to the Governors' Pupil Disciplinary Committee. This Committee must meet within 15 school days of receiving notice of the suspension. The Headteacher and parents/carers will be invited to make representations to the Committee. The Committee will consider whether the Headteacher's decision to suspend was lawful, reasonable, procedurally fair, and proportionate, and will make a decision on whether or not to reinstate the pupil i.e. whether or not to uphold the suspension which lead to the student totalling over 15 school days suspension in a term. The clerk will inform parents/carers in writing of the Governors' decision within 1 school day.
3. This Committee must also convene if parents/carers request such a meeting for a suspension that leads to a student totalling over 5 school days suspension in a term or up to 15. This Committee must meet within 50 school days of receiving notice of the suspension.
4. If parents/carers request a Committee meeting in relation to a suspension that leads to a student totalling 5 school days suspension in a term or less, the Committee must consider any representations made by parents/carers, but it cannot direct reinstatement and is not required to arrange a meeting with parents/carers.
5. Before a meeting of the Governors' Pupil Disciplinary Committee the school will send all the relevant material to the parents/carers and the governors on the panel

5 school days in advance of the meeting. Parents/carers have the right to be accompanied by a friend or representative.

6. Students will have a reintegration meeting after a fixed-term suspension (normally with the Headteacher or Deputy Headteacher) where it is expected that parents/carers will attend with the pupil in question. The purpose of the meeting is to promote an improvement in behaviour, to emphasise the joint responsibility between school and parents/carers regarding the student and to explore measures to prevent further misbehaviour.

7. The school will keep a formal record of all fixed-term suspensions.

Student welfare during suspension.

1. The parents have a legal responsibility to ensure that the pupil is not present in a public place e.g. parks, shopping centres at any time during school hours. (Bradford Council may issue fines to parents if this is breached.)

2. The school will set work, which will be sent electronically via email, but it is the parent/carers' responsibility to collect the work and return it to school.

3. After day 5 of suspension the school will arrange for alternative temporary education – usually at a different local school, or a at a Pupil Referral Unit.

4. If a student is suspended at lunchtimes and is entitled to Free School Meals, then the school can make arrangements for a packed lunch to be provided if parents/carers wish.

2. Permanent Exclusion

Permanent exclusion is very rare as it is a very serious matter and is never undertaken lightly.

Only the Headteacher, or Deputy Headteacher in their absence, can permanently exclude a pupil.

Situations leading to permanent exclusion

After all other initiatives to improve behaviour have been exhausted permanent exclusion may result from serious on-going behaviour problems or the failure of a managed move. There will, however, be exceptional circumstances where, in the Headteacher's judgment, it is appropriate to permanently exclude a student for a first or 'one-off' offence.

These may include:

- a) Serious actual or threatened violence against another student or a member of staff.
- b) Sexual abuse or assault.
- c) Supplying or being in possession of drugs or illegal substances (including alcohol) on the premises or on the way to or from school in the community
- d) Students who have a dangerous weapon on the premises or on the way to or from school in the community.

e) Students who purposely tamper with or set off the fire alarm.

These instances are not exhaustive, but indicate the severity of such offences and the fact that such behaviour can affect the discipline and well-being of the school community. The decision to permanently exclude a student is never taken lightly. The DfE Suspension and Permanent Exclusion Guidance Sept 2022 also states on page 11 that 'a pupil's behaviour outside school can be considered grounds for a suspension or permanent exclusion.'

Procedure for decision making

The standard of proof to be applied is the civil standard of proof i.e. on the balance of probabilities if it is more probable than not that the student did what they are alleged to have done, the Headteacher may permanently exclude the student.

Permanent exclusion will not be imposed in the heat of the moment. In exceptional circumstances, usually where further evidence has come to light through an investigation, the Headteacher may issue a permanent exclusion to begin immediately after the end of a suspension.

Before deciding whether to exclude a student permanently the Headteacher will:

- a) Ensure that a thorough investigation has been carried out;
- b) Consider all the evidence available to support the allegations, taking account of the school's behaviour and equal opportunities policies, and, where applicable, Race Relations legislation and Disability Discrimination legislation;
- c) Allow the student to give their version of events;
- d) Check whether the incident may have been provoked, for example by bullying or by racial or sexual harassment;
- e) If necessary, consult others, but not anyone who may later have a role in reviewing the Headteacher's decision, for example a member of the Governing Body.

Procedure after a decision to permanently exclude has been made

1. Parents/carers will be informed without delay that a decision to permanently exclude has been made – either by telephone or in a meeting with the Headteacher. This will be followed by a letter of confirmation outlining the reasons for the decision and the Governors' Pupil Disciplinary Committee process (sent electronically or via the post).
2. The school will inform the parent/carer of the date of the Governors' Pupil Disciplinary Committee meeting at which governors will hear the school's case and the parents/carers/student's case.
3. Before the meeting, the school will send all the relevant material to the parents/carers and the Governors on the committee 5 school days in advance of the meeting.
4. The Governors will hear the case, at which parents/carers may be accompanied by a friend or representative. Governors will consider whether the Headteacher's decision to permanently exclude was lawful, reasonable, procedurally fair, and

proportionate, and will make a decision on whether or not to reinstate the pupil i.e. whether or not to uphold the permanent exclusion. The clerk will inform parents/carers in writing of the Governors' decision within 1 school day.

5. Parents/carers do have a right of appeal to an independent review panel in the event that Governors uphold the permanent exclusion. Information regarding this will be included in the letter sent to parents/carers. Parents must make this request within 15 school days of receiving notification of the permanent exclusion, and the panel should meet to review the case within 15 school days of the parents' request. Parents have a right to require the Trust to appoint a SEND expert to attend the review, regardless of whether the pupil has recognised special educational needs.

The panel may make one of three decisions:

- uphold the governing board's decision not to reinstate;
- recommend that the governing body reconsiders reinstatement; or
- quash the governing board's decision and direct that the governing body board reconsiders reinstatement.

Student welfare following a permanent exclusion

1. The student may not come to the school or into the school grounds unless invited in.
2. The parents have a legal responsibility to ensure that the pupil is not present in a public place e.g. parks, shopping centres at any time during school hours. (Bradford Council may issue fines to parents if this is breached.)
3. From day 6 onwards of permanent exclusion the Local Authority will arrange for alternative temporary education – usually at a Pupil Referral Unit.

From September 2023.

- The Headteacher (or Deputy Headteacher in their absence) are able to cancel an exclusion before the governing board has met to consider whether the pupil should be reinstated. This practice is sometimes known as withdrawing or rescinding an exclusion. If this occurs, the parents, the governing board and the local authority, must be notified and, if relevant, the social worker and VSH.
- Governing board reinstatement meetings and IRPs can now be held via the use of remote access (for example, live video link) for suspension and permanent exclusions if requested by the parents, provided certain criteria are satisfied. Meetings held via the use of remote access should not be a default option and face to face meetings should always be encouraged.

Review

This policy should be reviewed and ratified by the Governing Body of The Academy St James every year.

Headteacher: Mr C J Tolson

Governor Approval:

Date: November 2023