



**Mater Ecclesiae**

Catholic Multi Academy Trust

*'One Family in Christ'*

# Suspension and Permanent Exclusion Policy





## Document Control

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## Catholic Life and Mission

Mater Ecclesiae is a Catholic Multi Academy Trust and as such, places the upmost importance on providing a lived experience where the teachings of Jesus Christ guide and permeate all aspects of school life. Our faith demands a relentless focus on the understanding that each individual is made in the image of Christ. Each school will have developed their own unique behaviour policies in response to the needs of their own school community. The purpose of this policy is to outline the approach that all the schools in the Trust must follow regarding suspension and permanent exclusions.

## Introduction

Ensuring a safe, calm and supportive environment for all children and employees is an essential part of the Trust's ambition to provide a high quality and fully inclusive educational experience.

Headteachers must always have regard to the Department for Education's, (DfE), 'Statutory Guidance on Suspension and Permanent Exclusion' guidance when making decisions. Headteachers will always apply the law.

This policy should be read in conjunction with the Trust's 'Behaviour Principles Statement' and the Trust's 'Special Educational Needs and Disability Statement'.

This policy makes regular reference to the Department for Education's (DfE) guidance; 'Suspension and Permanent Exclusion from maintained schools, academies, and pupil referral units in England, including pupil movement – August 2024'.

The legislation this DfE guidance relates to is:

- the Education Act 2002, as amended by the Education Act 2011;
- the School Discipline (Pupil Exclusions and Reviews) (England) Regulations 2012;
- the Education and Inspections Act 2006;
- the Education Act 1996; and
- 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.

The Trust will follow the most up-to-date publication of the DfE's guidance.

## Application of policy

This policy applies to all members of the Trust community. Each individual school will adhere to this policy when considering suspensions and permanent exclusions. Each individual school will make this policy available to all staff, parents and pupils.

## Roles and responsibilities

### Headteachers

Only Headteachers have the legal powers to suspend or permanently exclude a child on disciplinary grounds. Headteachers will ensure that they have considered all the available information, with every decision made being proportionate to the seriousness of the behaviour. Headteachers in Trust Schools must comply with their responsibilities to inform parents, and when appropriate, social workers, virtual school headteachers, local authorities and school governors as stated in the DfE guidance.

Ensuring safeguarding measures are in place for the child during a period of suspension or permanent exclusion is of paramount importance.

### Governors

The Local Governing Body will adhere to the relevant parts of the DfE guidance. By following the relevant parts of this guidance Directors can be reassured that Governors are carrying out their responsibilities in relation to suspension and permanent exclusion.

### Parents

Headteachers have the responsibility to inform parents without delay of any suspension or permanent exclusion. Parents will be informed of their rights through all communications.

### Children

All schools in the Trust are committed to fulfilling the Director's ambition to provide a high quality and fully inclusive educational experience that opens hearts, minds and doors for all children.

## Types of exclusion

### Suspension

A suspension is where a child is temporarily removed from the school. When all other behaviour management strategies have been exhausted, or where the incident deems to be of such seriousness, suspension is an essential behaviour management tool. Suspension should be set out within a school's behaviour policy. A child may be suspended for one or more fixed periods up to a maximum of 45 school days in a single academic year. It is important that during a period of suspension, children still receive their education. Headteachers should take steps to ensure that work is set and marked for pupils during the first five days of a suspension. Online platforms can be used. The school's legal duties to children with Special Educational Needs and Disabilities remain. The law does not allow for extending a suspension or converting a suspension into a permanent exclusion.

### Permanent exclusion

A permanent exclusion is when a child is no longer allowed to attend the school. The decision to permanently exclude should only be taken:

- In response to a serious breach or persistent breaches of the school's behaviour policy; and
- where allowing the child to remain in school would seriously harm the education or welfare of the child or others such as staff or children in the school.

## Grounds for suspension or permanent exclusion

Only when it is absolutely necessary, and all other reasonable behaviour strategies have been exhausted, will a Headteacher consider suspension or permanent exclusion.

The following are provided as examples of behaviours that may warrant suspension or permanent exclusion:

- Physical assault against a pupil
- Physical assault against an adult
- Verbal abuse or threatening behaviour against a pupil
- Verbal abuse or threatening behaviour against an adult.
- Use, or threat of use, of an offensive weapon or prohibited item
- Bullying
- Discriminatory abuse e.g. racism, homophobic, gender reassignment or disability.

Headteachers must always ensure that any decisions are made in line with the principles of administrative law, i.e. that it is lawful, reasonable, fair and proportionate.

When establishing the facts in relation to a suspension or a permanent exclusion, 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 all reasonable doubt'.

Headteachers should also take into account the child's views, considering these in light of their age and understanding, unless it would not be appropriate to do so. Where relevant, pupils should be given support to express their views.

## Directing off-site and managed moves

Headteachers will consider, prior to making a final decision to permanently exclude, whether it is in the best interests of the child to initiate off-site directions or make use of a managed move as a preventative measure to permanent exclusion.

## Special Educational Needs and Disabilities

### **Children with disabilities and Special Educational Needs (SEN) including those with Education, Health and Care plans (EHC plans)**

The Equality Act 2010 requires schools to make reasonable adjustments for disabled children. This duty can, in principle, apply both to the suspensions and permanent exclusions process and to the disciplinary sanctions imposed. Under the Children and Families Act 2014, governing boards of relevant settings must use their 'best endeavours' to ensure the appropriate special educational provision is made for children with SEN, which will include any support in relation to behaviour management that they need because of their SEN. Schools should engage proactively with parents in supporting the behaviour of children with additional needs.

Where a school has concerns about the behaviour, or risk of suspension and permanent exclusion, of a children with SEN, a disability or an EHC plan, it should, in partnership with others (including where relevant, the local authority), consider what additional support or alternative placement may be required. This should involve assessing the suitability of provision for a child's SEN or disability.

Where a child has an EHC plan, schools should contact the local authority about any behavioural concerns at an early stage and consider requesting an early annual review prior to making the

decision to suspend or permanently exclude. For those with SEN but without an EHC plan, the school should review, with external specialists as appropriate, whether the current support arrangements are appropriate and what changes may be required. This may provide a point for schools to request an EHC assessment or a review of the child's current package of support.

## Reintegration

Following a suspension, or a period of education in a different setting, parents and children will be invited to attend a reintegration meeting. The purpose of this meeting is to:

- Reassure the child and parents that the school welcomes them back into the school family
- Explain to the child and parents that there is now an opportunity for a fresh start
- Help the child to understand how negative behaviour has a negative impact on themselves and others
- Communicate the schools commitment to supporting the child to be successful in their learning
- Build relationships with the family and child to reduce/remove the risk of further suspensions.

Reintegration meetings are an opportunity for children, parents and staff to communicate how best to work together. Schools will not prevent a child from returning to the mainstream lessons if the child or family refuse to attend.

## Cancelling a suspension or a permanent exclusion

Only the Headteacher can cancel a suspension or a permanent exclusion as long as the suspension has not been considered by the Local Governing Body. Where there is a cancellation of a suspension or a permanent exclusion, the Headteacher must inform all relevant parties as stated in the DfE's Statutory Guidance.

## Concerns or complaints

Should parents wish to share concerns or complaints regarding this policy, or feel they have been pressurised into a managed move, they should follow the school's complaints policy. If the concern or complaint is in relation to a permanent exclusion, the statutory procedures set out in the DfE guidance will be followed.

## Independent review panels

Independent review panels contribute to a robust process of scrutiny to ensure that exclusions are lawful, reasonable and procedurally fair. The DfE's guidance document communicates clearly what the Trust must do in relation to organising independent review panels and what the Trust must do in relation to the outcomes from the independent review panel.

## Monitoring suspension and permanent exclusion data

The headteacher will report on a termly basis, data on suspension and permanent exclusions to the Local Governing Body and also to the Trust's CEO. The data will be reviewed in order to consider:

- The impact of the behaviour interventions the school has implemented
- The effectiveness of the school's behaviour policy



- The characteristics of the suspended or permanently excluded child
- Repeat suspensions/patterns in suspensions
- Interventions in place to support children at risk of suspension or permanent exclusion
- Trust wide suspension trends or permanent exclusion trends

### **Policy review**

This policy will be reviewed annually or when legislation changes.