



## Policy Information Sheet

<b>Name of Policy:</b>	<b>Suspension and Exclusion policy</b>
<b>Delegated Authority</b>	<input checked="" type="checkbox"/> Trust Board <input type="checkbox"/> Nominated Committee <input type="checkbox"/> CEO <input type="checkbox"/> CFO <input type="checkbox"/> Other _____
<b>Policy review cycle</b>	<input checked="" type="checkbox"/> Annual <input type="checkbox"/> 3 years <input type="checkbox"/> 4 years <input type="checkbox"/> Other _____
<b>Statutory policy</b>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
<b>Published online</b>	<input checked="" type="checkbox"/> Statutory <input type="checkbox"/> Trust recommended <input type="checkbox"/> No

Document Control			
Created by (author)	Lorna McLean		
Date created	08/05/2024		
Approved by	Trust Board		
Date approved			
Recorded in minutes			
Document History			
Version	Author	Revisions	Final approval date
1.0			

## 1. Rationale

This document is set out to deal with the policy and practice which informs Hartlepool Free School's use of suspension and exclusion. From September 2022 the DFE has introduced new guidance on Suspensions and Permanent exclusions. (Note for guidance: fixed-term exclusions are now referred to as suspensions).

Key guidelines referred to when producing this policy:

- SEND code of practice
- KCSIE
- Education Act 2002
- Equality Act 2010

It also takes into consideration the guidance '*Suspension and Permanent Exclusion from maintained schools, academies and pupil referral units in England, including pupil movement*'. The list is not exhaustive.

This policy is underpinned by three key factors;

- Hartlepool Free School is committed to ensuring the safety and well-being of all members of the school community.
- Hartlepool Free School aims to provide a caring and nurturing environment in which all can learn and succeed.
- Hartlepool Free School aims to include all children and young people and aims to keep the number of suspensions to a minimum.

## 2. Introduction

Hartlepool Free Schools 'Promoting Positive Behaviour Policy' encourages and rewards good behaviour. Poor behaviour is addressed through the use of consequences that carry differentiated severity matched to the circumstances and individual pupil needs. Staff are supported in the commitment to inclusion through relevant training which assists in managing challenging behaviour.

Through a system of pastoral support, Hartlepool Free staff work in partnership with parents/carers in terms of managing the behaviour of the children and young people. There is also close partnership working with professionals from placing authorities to ensure that every pupil has an appropriate behaviour support plan in place. This is in line with statutory guidance: The 1996 Education Act and Getting It Right For Every Child 2008.

Permanent exclusion or suspension is an extreme sanction. Hartlepool Free School takes account of the September 2017 guidance 'Exclusion from maintained schools,

academies and pupil referral units in England' and the September 2022 update which refers to exclusions as suspensions.

Suspension must be approved by the Principal. The decision to suspend or permanently exclude a pupil will be taken in the following circumstances: -

- In response to a serious breach of the school's Promoting Positive Behaviour Policy.
- If allowing the pupil to remain in school would seriously harm the education or welfare of the student or others in the school.

Suspension or exclusion, whether fixed term or permanent may be used for any of the following, all of which constitute examples of unacceptable conduct -

- Actions which put the pupil or others in danger;
- Verbal abuse including racist or homophobic abuse to staff and others;
- Verbal including racist or homophobic abuse to peers;
- Physical abuse to/attack on staff;
- Physical abuse to/attack on pupils;
- Indecent behaviour;
- Damage to property;
- Use of or supplying an illegal drug;
- Misuse of other substances;
- Theft;
- Serious actual or threatened violence against another student or a member of staff;
- Sexual abuse or assault;
- Carrying an offensive weapon;
- Arson;
- 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.

This is not an exhaustive list and there may be other situations where the Principal makes the judgement that suspension or exclusion is an appropriate sanction.

### **3. Suspension procedure**

- Most suspensions are of a fixed term nature and are of short duration (usually between one and three days).
- The DfE regulations allow for the suspension of a pupil for one or more fixed periods not exceeding 45 school days in any one school year. Hartlepool Free School will adhere to this advice.

- Following suspension, parents are contacted immediately by a member of the Senior Leadership Team. A meeting will be called, and a letter sent by post giving details of the suspension and the date the suspension ends. Parents have a right to make representations to the management of the school.
- It is school practice to place the pupil returning from suspension under close monitoring usually for one week to monitor behaviour and work.
- A suspension may take the form of an "internal" suspension, with the pupil being isolated to work alone with individual staff supervision. However, in some circumstances, either because of the severity of the incident or because of practical or logistical constraints, a suspension will result in the pupil being required to remain at home.
- During the course of a suspension where the pupil is to be at home, parents/carers are advised that the pupil is not allowed on the school premises, and that daytime supervision is their responsibility.
- Suspensions for looked after young people must be managed in accordance with the guidance from the young person's placing authority. Suspensions for looked after young people must be avoided wherever possible. Where unavoidable, liaison with the young person's social worker and virtual school head must take place ahead of the suspension being enacted.

#### **4. Permanent exclusion**

The decision to exclude a pupil permanently is a serious one. Permanent exclusion would be with the agreement of the placing authority in dialogue with parents and carers.

The decision to permanently exclude a pupil will only be taken after a concerted process of intervention and following the use of a wide range of behaviour strategies which have been employed without success.

There may be occasions when permanent exclusion is the first and only option. This option would only be implemented in extreme circumstances and the decision would be made in conjunction with the placing authority, and only by the school Principal.

#### **5. General factors the school considers before deciding to suspend or exclude:**

Suspension and exclusion will not be imposed instantly unless there is an immediate threat to the safety of others in the school or the pupil concerned. Before deciding whether to suspend for a fixed period or exclude a student permanently, the Principal will:

- ensure relevant and fair investigations have been carried out by appropriate staff;

- consider all the evidence available to support the allegations considering the pupil's behaviour, their individual needs and whether there are reasons not to exclude;
- allow the pupil the opportunity to give her/his version of events;
- check whether the incident may have been provoked for example by bullying or by racial or sexual harassment.

If the Principal is satisfied that on the balance of probabilities the pupil did what he or she is alleged to have done, suspension or exclusion may be the outcome.

## **6. Exercise of discretion**

In reaching a decision on suspension or permanent exclusion, the Principal will always look at each case on its own merits. We believe that a tariff system, fixing a standard penalty for a particular action, is both unfair and inappropriate.

## **7. Alternatives to suspension or exclusion**

Alternative strategies to suspension or exclusion are always used if possible. The threat of a permanent exclusion will never be used as a behavioural control mechanism.

## **8. Behaviour outside school**

Pupils' behaviour outside school on school "business" for example school trips and journeys, travelling to and from school, away school sports fixtures or a work experience placement is subject to the Promoting Positive Behaviour Policy. Bad behaviour in these circumstances will be dealt with as if it had taken place in school.

## **9. Drug related suspensions and exclusions**

In deciding on whether to suspend or exclude for a drug-related offence the Principal will have regard to the school's published policy on substance misuse and will also seek advice from the placing authorities on drug and substance misuse services. The decision will depend on the precise circumstances of the case and the evidence available. In some cases, fixed term suspension will be more appropriate than permanent exclusion. The Principal will make a judgement set against the criteria in the school's Substance Misuse Policy.

## **10. Other Relevant Policies / procedures**

- Promoting Positive Behaviour
- Rewards and Sanctions
- Smoking and Vaping
- Substance Misuse

- Learner Voice
- Anti Bullying
- Restorative Justice