Policy Information Sheet

Name of Policy:	**Suspension and Exclusion policy**
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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 June 2026 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 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 School 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 June 2026 guidance 'Exclusion from maintained schools, academies and pupil referral units in England, including pupil movement'

Suspension or permanent exclusion must be only be imposed 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 a suspension decision, 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, carers and pupils have a right to make representations to the governing body (Trust board) if they believe a suspension or exclusion is inappropriate or unfair. To do this please contact Sarah.Harrington@hartlepoolfreeschool.org.uk
- It is school practice to place the pupil returning from suspension under close monitoring usually for one week to monitor behaviour and work.
- During the course of a suspension, parents/carers are advised that the pupil is not allowed on the school premises, and that daytime supervision is their responsibility.
- School will provide work from Day 1 of any suspension. If a suspension spans more than 5 days, alternative provision will be provided from Day 6.
- 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. School will ensure close working with the child's social worker and Virtual School Head where a young person is struggling to maintain the standards of expected behaviour.

4. Permanent exclusion

The decision to exclude a pupil permanently is a serious one.

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 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 by the school Principal with agreement from the CEO.

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.

- Consider the pupil's SEN needs as identified in their EHCP/CASS plan.

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. Managed moves and direction offsite are not used at Hartlepool Free School due to the needs of the students and the requirements of their provision, however high quality Alternative Provision (AP) would be considered in agreement with the pupil and parent/carer.

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. Where pupils harass or bully other pupils out of school, for example online, this will also be considered in line with the school Anti Bullying Policy.

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. 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