



Suspension and Permanent Exclusion Policy

Policy Lead:	Deputy Headteacher
Last Review Date:	March 2024
Next Review Date:	March 2025
Approval needed by:	Headteacher



Introduction

Exclusion (now known as a suspension) is an extreme sanction and one we seek to use only as a last resort in response to a serious breach, or persistent breaches of the behaviour policy. Any form of suspension is not seen as a simple punishment, rather a means of maintaining good order and discipline in the school, so that all students can benefit from the opportunities provided.

School's guidelines:

- Suspensions from school are only used when it is necessary to maintain good order in the school, and in keeping with clear guidelines (including New guidance 2022)
- All students are treated fairly with respect to suspension and permanent exclusions
- Parents/carers must feel that their children have been treated fairly
- When suspension is necessary, the legal procedures are properly carried out and all concerned know what part they have to play and communication is clear and timely
- Appropriate records of suspensions and permanent exclusions are kept, and that the Governors are kept aware of the pattern of suspensions and permanent exclusions and can monitor this pattern, through the Local Governing Board
- A suspension or permanent exclusion is understood by students and parents to be a legitimate and necessary sanction which can be applied for serious or persistent breaches of expected behaviours.

Only the Headteacher of a school can suspend or permanently exclude a pupil and this must be on disciplinary grounds, any these are only administered by the Headteacher. The Deputy Headteacher acting in the Headteacher's absence may suspend a student for a serious offence for an initial period of no more than five days and normally only for sufficient time to allow the Headteacher to consider the appropriate length of suspension on returning to school. It should be made clear that such a suspension can be extended, or even made permanent.

Suspension from school – a fixed period of time and a re-admission meeting

Criteria Leading to Suspension

- There has been a serious breach of the Behaviour Policy. (This includes behaviour at school and outside of school as stated by national policy and guidance. The school takes the view that suspension would be used for behaviour outside school only when there is a potential effect in school or to the school's reputation).
- Allowing the child to remain in school would be seriously detrimental to the education or welfare of the student or to that of others at the school.
- Suspension is the appropriate consequence within the Behaviour Policy because of the seriousness of the incident or the student's failure to respond positively to the disciplinary sanctions used already.
- It is a last resort and the school has taken all reasonable steps to reinforce expectations and compliance.
- The behaviour of a pupil outside school can also be considered grounds for a suspension.

When considering a suspension, the following will be considered:

- the safety and wellbeing of other students and adults
- the seriousness of the offence committed
- previous behaviour record

- other strategies which have already been tried
- the student's known educational and medical needs
- the support of external agencies in providing alternatives to permanent exclusion

Supporting continuation of learning

Work will be set for the student during a period of suspension. It is important that this work is completed so that any gap in learning is not widened further. The work is set by class teachers via Teams, email or on paper while the student is not in school and they follow their timetable for that day. If requested school can provide a device to support learning and/or a paper format of the work. It is expected that all work is completed to best abilities and returned to school to be marked.

If any additional support is required then parents are requested to visit the website or contact the school directly.

For a suspension exceeding five days, the Academy will make arrangements for the student to attend another organisation, where possible and if practical, after the fifth day and will send work to that organisation.

Readmission Meeting

A readmission meeting with parents will always be arranged and, where appropriate, a reintegration programme will be put in place following a student's suspension. This will normally be with the Head of Year/Deputy Headteacher and/or a representative from The Oaks Academy's Student Support Team. On occasions the Headteacher may also attend this meeting.

Monitoring Behaviour & Reintegration

Following suspension, the student's behaviour will be monitored for an appropriate period of time. The school will also consider additional measures to support the student's successful reintegration.

Permanent Exclusion

Criteria Leading to Permanent Exclusion

In very exceptional circumstances a permanent exclusion from the Oaks Academy may be necessary when repeated fixed term suspensions are not providing the necessary improvement in behaviours or actions. It is the final step in the process for dealing with disciplinary offences when a wide range of other strategies have been tried and have failed, including the use of a Pastoral Support Programme.

It is also the appropriate course of action for particularly serious one-off incidents which jeopardise the safety and wellbeing of others. Incidents include but are not limited to:

- those involving violence,
- offensive weapons,
- the supply of illegal drugs
- where the welfare of staff and/or students is threatened.

The Oaks Academy will comply with government guidance around permanent exclusion.

Governing Board Meeting (formerly Governors Disciplinary Committee)

With a decision relating to permanent exclusion, the school will inform *Education Access Support Officer* at Cheshire East Local Authority of their child's exclusion and they will be in touch with parents about arrangements for their child's continued education from the sixth day of the exclusion period.

Regardless of whether parents choose to attend or not, the Clerk to the Governors will notify them of the time, date and location of the meeting. The Clerk should be advised if they have a disability or special need which would affect their ability to attend or participate fully in a meeting at the academy. Also please inform the Clerk if it would be helpful to have an interpreter present at the meeting.

Parents will receive written information regarding their child's exclusion and any other related documents before the disciplinary committee meeting. This pack of information will be distributed to the Governors who sit on the panel and the Local Authority representative.

Headteachers may cancel an exclusion that has not been reviewed by the Governing Board (GB). This practice is sometimes known as withdrawing/rescinding a suspension or permanent exclusion.

Equalities & Disabilities

If parents think the suspension or exclusion relates to a disability their child has, and they think disability discrimination has occurred (under the Equality Act 2012), they have the right to appeal and/or make a claim, to the First Tier Tribunal (Special Educational Needs and Disability) <http://www.justice.gov.uk/tribunals/send>.

Making a claim would not affect rights to make representation to the Governing Body. Parents may wish to contact Cheshire East Exclusions Team on 01270 375277 or exclusionsCE@cheshireeast.gov.uk who can provide advice. Parents may also find it useful to contact the Coram Children's Legal Centre — they offer information and advice on education, including suspension and exclusion from school. They can be contacted on 0300 330 5485, or at www.childrenslegalcentre.com. Parents may also wish to look at the Department for Education's guidance 'Suspension and permanent exclusion from maintained schools, academies and pupil referral units in England, including pupil movement' through the following link <https://www.gov.uk/government/publications/school-exclusion>. If a child has special educational needs parents may wish to contact Cheshire East Information Advice & Support - ceias@cheshireeast.gov.uk Tel 0300 123 5166.

Appeals

As a permanent exclusion, Governors must meet to consider reinstatement. Parents have the right to make representation to the School Governors in person and/or in writing and to bring a friend or representative with them if they wish. They may also like to bring their child to attend the meeting. At the meeting, parents may make their views known to the Governors and ask for their son/daughter to be reinstated in school. The Governors have the power to reinstate immediately or from a specific date; they also have the right to uphold the exclusion. If this is the case parents have the right to ask that the exclusion is reviewed by an Independent Review Panel. The latest date by which the Governors must meet is a 15-day (school days) period from day of exclusion. If parents wish to make representation please contact the Clerk to the Governors via email on governorsclerk@thelearningalliance.co.uk, as soon as possible.

Parental Representation, Responsibilities & Rights

Parents and carers have a duty to ensure that their son/daughter is not present in a public place in school hours during this suspension unless there is reasonable justification for this. A penalty notice from the Local Authority may be issued if a suspended child does not abide by these expectations.

Parents and Carers have the right to make representation about the decision to suspend to the school Governing Body via governorsclerk@thelearningalliance.co.uk. Whilst the Governing Body has no power to direct reinstatement, they must consider any representation made and may place a copy of their findings on a student's school record.

Parents and Carers should also be aware that if it is felt that the suspension relates to a disability their child has, and they think disability discrimination has occurred (under the Equality Act 2010), they have

the right to appeal and/or make a claim, to the First Tier Tribunal (Special Educational Needs and Disability) <http://www.justice.gov.uk/tribunals/send>. Making a claim would not affect their right to make representation to the Governing Body.

Parents may request to see their child's school record, and any such request will be dealt with in accordance with our obligations under the Data Protection Act 2018 and within the school's GDPR obligations. Due to confidentiality restrictions, parents will need to notify the Headteacher in writing if they wish to be supplied with a copy of the school record. The school will then supply a copy if requested.

Support for Parents

Parents and Carers may wish to contact Cheshire East Exclusions Team: telephone 01270 375277, or email: exclusionsCE@cheshireeast.gov.uk who can provide advice. They may also find it useful to contact the Coram Children's Legal Centre — they offer information and advice on education, including exclusion from school. They can be contacted on 0300 330 5485, or at www.childrenslegalcentre.com. Parents may also wish to look at the Department for Education's guidance 'Suspension and permanent exclusion from maintained schools, academies and pupil referral units in England, including pupil movement' through the following link <https://www.gov.uk/government/publications/school-exclusion>. If a child has special educational needs parents may wish to contact Cheshire East Information Advice & Support - ceias@cheshireeast.gov.uk Tel 0300 123 5166.

Appendix 1: Guide for Parents about Suspension and Permanent Exclusion

The suspension and permanent exclusion policy gives full details about suspensions and permanent exclusions of all types. Here is a summary.

Suspension is a Last Resort

When suspending a student, we must stick to the law. It is important to remember that we will always try and sort out problems before they lead to suspension and we will always take other circumstances into account.

Types of exclusion

There are two kinds of exclusion. The most common is a **suspension**. This happens either because of:

- increasingly disruptive behaviour where other support and sanctions have not helped, or
- a one-off serious incident.

A **permanent exclusion** is rare. It happens either when the child's behaviour has become so disruptive or dangerous that it harms their own well-being or safety of the child themselves, or puts other students or staff in danger. It can also happen if there is a very serious one-off incident. Again, full details are written in the exclusions policy.

Informing Parents about Suspensions and Permanent Exclusion

If a student needs to be suspended, then the school will contact home by phone to explain what has happened and why suspension is needed. A letter will then be sent home explaining the reasons for suspension. The letter will include information about the meeting that must be held with parents or carers when the student returns to school after suspension. If the exclusion is permanent the letter will explain what happens next.

Who else do school inform?

Informing social workers and Virtual School Heads about a suspension or permanent exclusion.

Information sharing is vital in safeguarding children and promoting their welfare, including their educational outcomes. Schools should be proactive in sharing information as early as possible to help identify, assess, and respond to risks or concerns about the safety and welfare of children. Both the Social Worker and/or Virtual School Head, must be informed when a suspension or permanent exclusion has been issued and when a Governing Board meeting is taking place, to share information. The Social Worker and/or Virtual School Head can attend the meeting, should they wish to do so.

Learning while the student is at home

Work will be set for the student during a suspension or permanent exclusion. If it is needed the school can provide a device to support learning and/or a paper copies of the work. It is expected that all work is completed to the student's best ability and returned to school to be marked.

For a suspension longer than five days, the school will make arrangements for the student to attend another organisation after the fifth day and will send work to that organisation.

Equality Act

If you feel a suspension or an exclusion unfair because of a disability (under the Equality Act 2010) then please follow the policy guidance on this. You may also raise any concerns to the school's governing body or the Cheshire East Exclusions Team (phone number below).

Support for Parents

Parents and Carers may wish to contact the school, Cheshire East Exclusions Team: telephone 01270 375277, or email: exclusionsCE@cheshireeast.gov.uk who can all provide advice.

Parental Responsibilities

Parents and carers have a duty to make sure that their son/daughter is not out in a public place in school hours during this suspension unless there is a good reason for this.