

School Suspension and Permanent Exclusion Policy



It is the policy of St. Mary's CE Primary School to try to deal with all behavioural issues in a proactive, positive way, employing a wide range of strategies, to avoid such issues reaching the point of exclusion. (See Behaviour Management Policy). However, should the need arise, the school will ensure that the suspension/exclusions process is applied fairly and consistently and that the process is understood by governors, staff, parents and pupils.

Only the Principal can suspend/exclude a pupil from school and will be taken only following a sustained period of unacceptable behaviour; if allowing the pupil to remain in school would seriously harm the education or welfare of others or a single case of an extremely dangerous and/or violent act. In deciding whether to suspend a pupil for a fixed period or exclude a pupil permanently, the principal will consider all the relevant facts and evidence; allow the pupil to give their version of events and consider whether the pupil has special education needs.

The principal will adopt the following approach, in deciding a suspension/exclusion:

- The child will be suspended for a fixed period or excluded permanently as judged by the principal to be appropriate to the circumstances.
- Parents/guardians will be notified immediately by telephone and asked to remove their child from the school. The child's local authority (usually Herefordshire Council) and social worker (if he/she has one) will also be informed.
- The parents / carers will be given a formal letter outlining the reasons for the decision to suspend or exclude, and information about parents' right to make representations to the governing board. Parents will be notified that they are legally required to ensure their child is not present in a public place during school hours without good reason.
- The Chair of Governors will be notified at the time suspension or exclusion is decided upon and the Governing Body, at each meeting will be informed of any permanent exclusions, fixed term suspensions over 5 school days or those resulting in missing SATS.

- Wherever possible, work will be provided for the child to do at home.
- If the suspension exceeds 5 days, the Principal will arrange alternative full time education. In the event that a child is permanently excluded, the local authority is responsible for arranging alternative full time education.
- The school will then put in place a reintegration programme for the pupil on his/her return, be this fully after the 3 days or in stages. The package will include input from the principal, staff at the school, parents, and, if deemed appropriate, the child.
- A meeting will be held between the Principal, Chair of Governors and Parents/Carers before the child returns to school.
- It is hoped that in most cases following a suspension, the child will be able to return to school and that the reintegration programme will promote in him/her a more positive attitude and a subsequent improvement in behaviour. This will be monitored using a home school behaviour diary or putting a pupil on an internal school report.
- A suspension may be repeated, if necessary, but the total number of days suspended for any one child must not exceed 45, in one year.

Should it be decided, for whatever reason, that the matter needs to be put in the hands of another agency, e.g., the incident leads to the discovery that there is a Child Protection issue, the school will continue to monitor the situation and work closely with that agency.

Considering the reinstatement of a pupil:

A suspensions and exclusions committee will be convened to consider reinstatement of a suspended/excluded pupil within 15 school days of receiving notice of the suspension or exclusion if:

- the exclusion is permanent
- a suspension of more than 15 days in a term
- if the pupil would miss statutory tests (SATs).

If requested to do so by parents/guardians, the committee will consider reinstatement of a suspended pupil within 50 school days of receiving notice of the suspension if the pupil would be suspended for more than 5 school days but less than 15 in a single term.

The suspensions and exclusions committee can either: decline to reinstate the pupil or direct the immediate reinstatement of the pupil or on a particular date. They will consider whether the suspension/exclusion is lawful, reasonable, and

fair; whether or not the facts are true 'on the balance of probabilities' as well as any evidence presented.

Independent Review Panel (IRP)

Parents have the right to request a review of the governing board's decision not to reinstate a pupil after exclusion. The review is conducted by an independent review panel (IRP).

The responsibility for arranging an independent review panel (IRP) meeting lies with the governing board. Parents must make an application for an IRP within 15 school days of receiving notification of the governing board's decision not to reinstate a permanently excluded pupil. They can do this even if they didn't attend the first meeting at which the governing board considered reinstating the pupil. Any application outside of that time frame must be rejected, except where the parents make a claim for discrimination under the Equality Act 2010 regarding the exclusion. In that case, parents can apply for an IRP within 15 school days of a final determination on their discrimination claim. The IRP meeting must begin within 15 school days of the date when the parents' application for review was made. Reasonable steps must be taken to hold the meeting at a time that is convenient, and at a venue accessible, to all parties.

The IRP must be made up of either 3 or 5 members, to include:

1. A **lay member** to chair the panel. This person must never have worked in a school in a paid capacity
2. Current or former school **governors** (of a maintained school, members of PRU management committees and directors of academy trusts, but not including academy local governors) who have served at least 12 consecutive months out of the past 5 years, provided they haven't been teachers or headteachers during that period
3. **Headteachers** or people who have been a headteacher within the past 5 years

There must be 1 of each category on a 3-member panel and 2 of the second and third categories on a 5-member panel.

Where possible, the panel members who are governors or headteachers should serve in primary schools.

The IRP should avoid any bias or appearance of bias. It must not include anyone who:

- Is a member of the Board of Members.
- Is the headteacher (or anyone who held this position) of a school who has permanently excluded the pupil in the last 5 years
- Is an employee of the School
- May reasonably raise doubts about impartiality because they are currently or have at any time been connected with the School, pupil, parents or the incident leading to the exclusion.:

All members of the IRP must have undergone training on their role within the past 2 years.

The Independent Review will be conducted according to the procedures set out by the Department for Education.

Date Implemented: Oct 2022

Approved by: Rev. Matthew Burns Chair of Governors

Person Responsible: Peter Kyles Principal

Review Date: Oct 2024