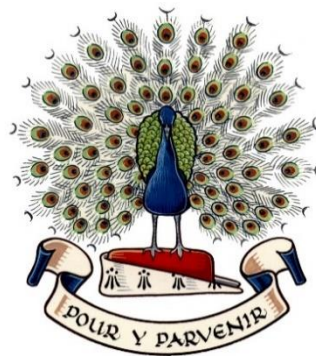


LADY MANNERS SCHOOL

SUSPENSION AND EXCLUSION OF STUDENTS

POLICY



1. DEFINITIONS

The use of the term 'suspend' in this policy is a reference to what is described in the legislation as an exclusion for a fixed period.

1.1 Suspension

- A suspension, where a student is temporarily removed from the school, is an essential behaviour management tool that should be set out within a school's behaviour policy.
- A student may be suspended for one or more fixed periods (up to a maximum of 45 school days in a single academic year). A suspension does not have to be for a continuous period.
- A suspension may be used to provide a clear signal of what is unacceptable behaviour as part of the school's behaviour policy and show a student that their current behaviour is putting them at risk of permanent exclusion. Where suspensions are becoming a regular occurrence for a student, the Headteacher will consider whether suspension alone is an effective sanction for the student and whether additional strategies need to be put in place to address behaviour.
- During a suspension, students will still receive their education. The Headteacher will take steps to ensure that work is set and marked for students during the first five school days of a suspension. This can include utilising any online pathways such as Google Classroom or Oak National Academy.
- The school's legal duties to students with disabilities or special educational needs remain in force, for example, to make reasonable adjustments in how they support disabled students during this period. Any time a student is sent home due to disciplinary reasons and asked to log on or utilise online pathways should always be recorded as a suspension.
- A suspension can also be for parts of the school day. For example, if a student's behaviour at lunchtime is disruptive, they may be suspended from the school premises for the duration of the lunchtime period. The legal requirements relating to the suspension, such as the Headteacher's duty to notify parents and carers, apply in all cases. Lunchtime suspensions are counted as half a school day in determining whether a Governing Board meeting is triggered.
- The law does not allow for extending a suspension or 'converting' a suspension into a permanent exclusion. In exceptional cases, usually where further evidence has come to light, a further suspension may be issued to begin immediately after the first period ends; or a permanent

exclusion may be issued to begin immediately after the end of the suspension.

1.2 Permanent Exclusion

- A permanent exclusion is when a student is no longer allowed to attend a school (unless the student is reinstated). The decision to exclude a student permanently should only be taken:
 - in response to a serious breach or persistent breaches of the school's behaviour policy; and
 - where allowing the student to remain in school would seriously harm the education or welfare of the student or others such as staff or students in the school.
- For any permanent exclusion, the Headteachers should take reasonable steps to ensure that work is set and marked for students during the first five school days where the student will not be attending alternative provision. Any appropriate referrals to support services or notifying key workers (such as a student's social worker) should also be considered.

2. PRINCIPLES

- 2.1 Lady Manners School is an inclusive community comprehensive school and does not seek to suspend or permanently exclude students from education.
- 2.2 There is a 'Code of Conduct' for students and school rules are derived from the spirit of that 'Code of Conduct'. The 'Code of Conduct' is part of Governors' documentation as an appendix to the Behaviour for Learning Policy. It is widely available to students, parents, carers and staff and can also be found on the school website.
- 2.3 Suspension will not be used as the response to every form of serious behavioural difficulty. When student disruption occurs, staff will intervene promptly in order to keep students in school wherever possible and so avoiding the sanction of suspension, particularly permanent exclusion.
- 2.4 The Headteacher will take the decision to temporarily or permanently exclude having considered all available evidence. The decision can be based on a 'balance of probability' when absolute proof is unavailable.

3. AVOIDING SUSPENSION

Staff at Lady Manners School take reasonable steps to avoid suspension. These steps can include:

- implementing and monitoring the Behaviour for Learning Policy
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- arranging staff training in behaviour management strategies and helping staff to develop their skills and professional expertise
- engaging support and involvement from parents and carers - this can include negotiated agreements which avoid suspension
- the use of appropriate outside support agencies providing support through a Pastoral Support Plan (PSP), the Special Educational Needs Code of Practice and through the use of the Common Assessment Framework (CAF)
- managing changes to educational provision and placements - this could include a change of class or lesson, or the provision of an element of appropriate work experience
- linking with neighbourhood schools for the possibility of managed moves or deferred transfers
- providing facilities and capacity for internal, supervised work when deemed appropriate
- using other school strategies like counselling, detention, removal from particular activities, placing on-report, disciplinary warnings or meetings

4. OTHER REMOVAL FROM THE SCHOOL SITE

There are other circumstances in which individual students can be removed from the school site. The following circumstances are not suspensions.

- 4.1 Where a student is accused of a serious criminal offence but the offence took place outside the school's jurisdiction or in circumstances when the school is not allowed to gather evidence. In these circumstances the Headteacher may decide that it is in the interests of the individual concerned and of the school community as a whole for that student to be educated off site for a certain period, subject to review at regular intervals. In these circumstances, the Headteacher can authorise leave of absence if parental consent is granted. If parental consent is not granted, then the Headteacher can use delegated powers from the governors to provide for the education of the student elsewhere, if such provision is available. This type of authorised leave of absence should be ended as soon as possible, and if a future suspension regarding the linked circumstances is a possibility, then the parents and carers should be informed at the outset.
- 4.2 Where, for medical reasons, a student's presence on the school site represents a serious risk to health or safety the Headteacher may send the student home after consultation with the student's parents and carers and a health professional, if available. This can often be in circumstances when a student has a notifiable disease or some other health situation that poses a risk. It might also apply if there are social, mental or emotional well-being considerations that temporarily emerge and have an impact on the immediate capacity of the student to cope in the school environment. In such situations the school records this as an authorised absence.
- 4.3 A student can be given permission by the Headteacher to leave school to remedy breaches of the school's rules on appearance or uniform, where this

can be done quickly and easily. When making this decision, the child's age and vulnerability must be considered. If the process of changing appearance takes any significant time then it should be recorded as an absence. This absence should be authorised unless the circumstances apply regularly to the student concerned, when it can be an unauthorised absence.

- 4.4 If a condition applies to a student that they can only be allowed onto the school site once they have been screened for offensive weapons, then they can be refused entry that day if they refuse to undergo screening. This is not an suspension but counts as an unauthorised absence.

5. ROLE OF THE HEADTEACHER

- 5.1. The Articles of Government of the school require the Headteacher to promote:

- students' self discipline;
- proper regard for authority;
- good behaviour and respect for others.

- 5.2. The Headteacher, senior leaders and the staff in general will endeavour to strike the balance between:

- the need to maintain discipline and good conduct to secure an orderly learning environment in the interests of all students;
- the need to ensure that students experiencing difficulties are given every opportunity to improve their behaviour.

- 5.3. If suspension is deemed necessary, the Headteacher will:

- follow the prevailing legal procedures and regulations, and school policy;
- ensure full possession of available facts before acting although where there is overall immediate risk to the safety of students or staff a provisional decision would be required at once;
- consider any views expressed by student and/or parents and carers.

- 5.4 Only the Headteacher can suspend or permanently exclude students from school. However, if the Headteacher is unavailable then a Deputy Headteacher or Assistant Headteacher, in acting as the Headteacher, can issue a suspension or permanent exclusion. A student may be suspended for one or more fixed periods (up to a maximum of 45 school days in a single academic year) or permanently excluded.

6. ROLE OF THE GOVERNING BOARD

- 6.1 The Governing Board will seek to influence the ethos of Lady Manners School - its general atmosphere and philosophy, and hence its standing within the community. In so doing, it will:
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- support the Headteacher and staff in maintaining high standards of discipline;
 - ensure fairness to individual students and their parents and carers.
- 6.2 The Governing Board will be informed about each individual suspension. In the case of permanent exclusions, exclusions which result in the student being excluded for more than five days in a term¹; or exclusions which would result in the student missing an external public examination, the Governing Board and Local Authority will be notified within one working day. For all other suspensions the Governing Board will be notified at the next Governing Board meeting. The Local Authority will be informed accordingly.
- 6.3 The Governing Board will consider parents' and carers' representations about suspensions. This will normally be undertaken by a sub-committee of at least three governors.
- If the suspension is either permanent or would bring the student's total number of school days excluded to more than 15 in the term, then consideration and possible reinstatement will take place within 15 school days after receiving notification of the suspension.
 - If the suspension is for more than 5 school days, but not more than 15, then the Governing Board will consider reinstatement of the student, if requested to do so by parents and carers, and this will be within 50 school days of receiving notice of the suspension.
 - If any suspension would result in the student missing a public examination then, so far as is reasonably practicable, this will be considered by governors before the date of the examination. In such circumstances, the suspension can be considered by the Chair of Governors independently.
 - In the case of a fixed period suspension which does not bring the student's total number of school days suspension to more than 5 in a term, the Governing Board will consider any representations made by parents and carers, but it cannot direct reinstatement and there is no requirement to hold a meeting with parents and carers. Any such consideration will normally take place within 50 school days following notification of the suspension, but there is no actual time limit.

7. APPROPRIATENESS OF SUSPENSION AS A SANCTION

The Headteacher will seek to ensure that any punishment is appropriate to the offence. In determining the need and duration of any suspension, the Headteacher will take into account a range of relevant and potentially influential factors including:

- previous record;

¹ There are six terms in a Derbyshire academic year.

- special circumstances (e.g. domestic problems);
- special educational needs;
- contribution of peer group pressure to the problem;
- severity of the behaviour, frequency of occurrence and likelihood of recurrence;
- effect on the functioning of the students and other students and the school in general;
- location of the offence, whether on school premises or beyond;
- presence or otherwise of staff when the offence was committed;
- group influence;
- effect of previous disciplinary sanctions;
- age and health of student;
- safety implications;
- likely effectiveness of support agencies

This list is not exhaustive and the circumstances of vulnerable students will be considered carefully, although the general needs of the school and of other children could well mean that a suspension is still the sanction which is applied.

Staff at Lady Manners School take care to ensure that disciplinary procedures are applied objectively and consistently across all students and cultural groups.

8. SUSPENSION AND EXCLUSION PROCEDURES

At Lady Manners School suspension and exclusion procedures are applied according to the current national requirements.

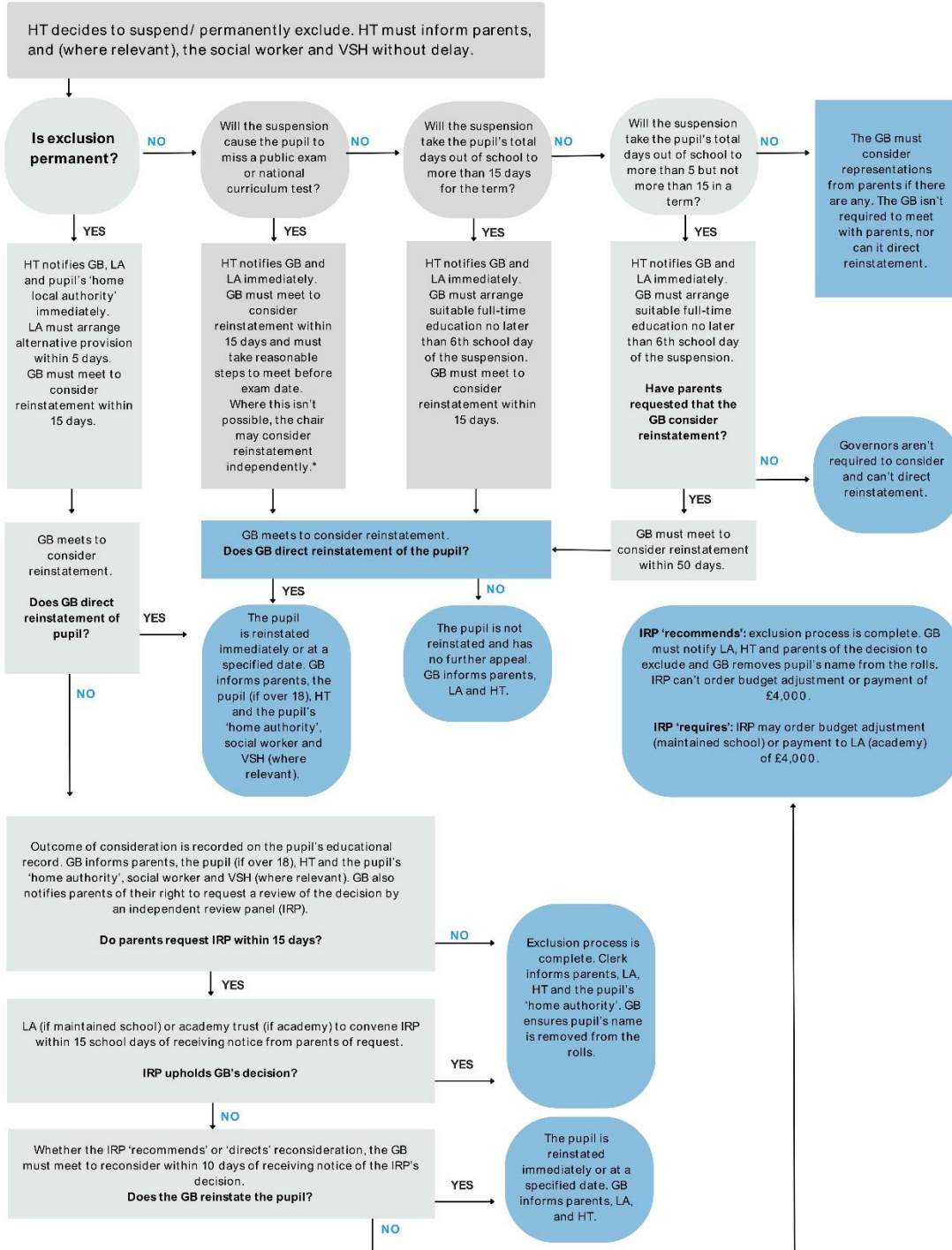
APPENDIX 1**Additional Information Regarding Exclusion and Suspension Procedures**

1. On the day of the suspension, parents and carers will be contacted, normally by telephone, to inform them about the suspension. Fixed term suspensions can range from occasionally just a lunchtime or half a day (lunchtime suspensions are recorded as half day suspensions) up to a maximum of 45 days in any one school year.
2. The suspension will then be confirmed by letter which will be sent by email within one school day of the suspension. This letter will include information about why the suspension has been necessary; the length of the suspension; the parental right to make representations to the Governing Board if they feel that the school has acted unreasonably and unfairly; and contact details of where they can gain advice.
3. The school will inform the Local Authority and governors about all suspensions. There is no obligation to inform governors or the Local Authority about fixed term suspensions of 5 days or less immediately, as long as they are reported at least once per term. For longer suspensions, the Headteacher must inform the governors and Local Authority within one working day.
4. For suspensions between 1 and 5 school days, students will access work via Myvle. Work will also be accessed via Moodle in the case of permanent exclusions, but only for the first 5 days of the exclusion. Parents and carers are expected to ensure that the work is submitted to school.
5. For the first 5 school days of a suspension parents and carers must ensure that their child is not present in any public place during normal school hours without reasonable justification. This requirement applies whether or not the student is in the company of the parent or carer. Failure to comply is an offence and has serious consequences including fines (starting as a £50 penalty notice) and can include prosecution. The child is also likely to be removed from the public place by the police and taken to designated premises.
6. If a fixed term suspension extends to a sixth day and beyond, educational provision elsewhere will be provided. This provision will continue until the child is readmitted to school.
7. Parents and carers may send in representations to the Governing Board if they feel that their child has been treated unfairly and the Headteacher has acted unreasonably. The representations would normally be considered by a committee comprised of three governors.
8. If the suspension is for 5 days or less, then the governors can consider the representations at any time. There are no statutory time limits. In such cases there is no requirement to hold any sort of meeting with parents and carers and the governors have no authority to change the decision taken by the Headteacher.

9. If the suspension is for more than 5 days in any one Derbyshire term (six terms per year) but not more than 15 days in one Derbyshire term, then the parents and carers can request a meeting with governors. If requested, this meeting will be held at some time by the 50th school day after governors have been notified of the suspension. In these situations the governors are allowed to decide whether they feel that the Headteacher has acted reasonably and whether to uphold the decision to suspend. Governors can decide to reinstate the student if the suspension is still continuing, but if it is not then they can place a note on the student's records to indicate that they would have reinstated the student had the suspension still been in place. Governors cannot choose to increase the length of the suspension or change a fixed term suspension into a permanent exclusion. The Local Authority can be asked to send a representative to advise the governors at such meetings, but they are not obliged to provide this support.
10. For any fixed term suspension there will be generally be a reintegration interview and this will be particularly important. For any fixed term suspension there will be a reintegration interview with parents and carers during or following the suspension. Whenever possible, this should be held on the day that the students returns to school, but this may not be possible. The meeting takes place on the school premises and is normally conducted by the Headteacher or another senior member of staff. The student should be present for at least part of the meeting and at least one of the student's parents or carers is expected to attend. If parents or carers fail to attend then this can be reported to the magistrates' court with regard to imposing a parenting order. Minutes of this meeting will be taken and placed on the student's file.
11. If parents and carers generally fail to engage with the school or Local Authority in attempting to improve their child's behaviour, and misbehaviour does continue to occur, then this can also be reported to the magistrates' court for a parenting order. This order compels parents and carers to comply with certain standards, including compulsory attendance at parenting classes. The kind of misbehaviour that can trigger a parenting order is behaviour that has, or could have, resulted in suspension.

APPENDIX 2

Exclusions process flowchart



* The chair's power applies only to maintained schools. If you're an academy, check your articles of association.

HT = headteacher LA = local authority GB = governing board VSH = virtual school head
 Days = school days Within x days = of receiving notice (either of exclusion or outcome)