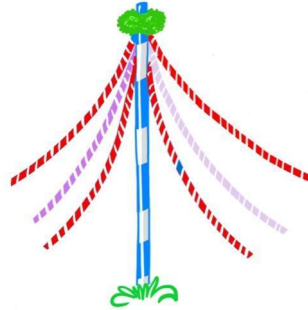


Maypole School



EXCLUSIONS & SUSPENSION POLICY

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1. INTRODUCTION

All pupils are entitled to an education where they are protected from disruption and can learn in a calm, safe and supportive environment. Headteachers can use suspension and permanent exclusion in response to serious incidents or in response to persistent poor behaviour which has not improved following in-school sanctions and interventions (Behaviour in Schools DfE September 2022).

Maypole School aims to ensure that:

- the exclusions process is applied fairly and consistently;
- the exclusions process is understood by governors, staff, parents/carers and pupils;
- pupils in school are safe and happy;
- and that pupils do not become NEET (not in education, employment or training).

All pupils at Maypole School have an Education, Health and Care Plan. The pupils are vulnerable and all have complex needs, which means they may frequently display challenging and disruptive behaviours. It would be very unusual for the school to permanently exclude a pupil. If the school felt that they were no longer meeting the needs of a pupil, they would liaise with the parent/carer and the Local Authority to discuss alternative placement options which would be in the best interests of the pupil.

2. LEGISLATION AND STATUTORY GUIDANCE

This policy is based on statutory guidance from the Department for Education: **Suspension and Permanent Exclusion from maintained schools, academies and pupil referral units in England, including pupil movement: Guidance for maintained schools, academies, and pupil referral units in England (May 2023)**

It is also based on the following legislation & Guidance, which outline schools' powers to exclude pupils:

- Section 52 of the Education Act 2002, as amended by the Education Act 2011
- Behaviour in Schools, Advice for Headteachers and School Staff, September 2022
- The School Discipline (Pupil Exclusions and Reviews) (England) Regulations 2012 In addition, the policy is based on:
- Part 7, chapter 2 of the Education and Inspections Act 2006, which looks at parental responsibility for excluded pupils
- Section 579 of the Education Act 1996, which defines 'school day'
- The Education (Provision of Full-Time Education for Excluded Pupils) (England) Regulations 2007, as amended by The Education (Provision of Full-Time Education for Excluded Pupils) (England) (Amendment) Regulations 2014

3. THE DECISION TO EXCLUDE

Authority to Exclude

Only the Principal or Executive Head Teacher can exclude or suspend a pupil from school, either permanently or for a fixed term. A permanent exclusion will only be taken in extreme circumstances, and after all other options have been explored.

Off-Rolling

Our school is aware that off-rolling is unlawful. Ofsted defines off-rolling as:

“...the practice of removing a pupil from the school roll without a formal, permanent exclusion or by encouraging a parent to remove their child from the school roll, when the removal is primarily in the interests of the school rather than in the best interests of the pupil.”

Criteria for exclusion or suspension

We are committed to following all statutory exclusions procedures to ensure that every child receives an education in a safe and caring environment.

A decision to suspend or exclude a pupil will be taken only:

- in response to serious or persistent breaches of the school’s behaviour policy, **and;**
- if allowing the pupil to remain in school would seriously harm the education or welfare of others.

Factors to be considered

Before deciding whether to exclude or suspend a pupil, either permanently or for a fixed period, the Principal/Executive Head Teacher will:

- consider all the relevant facts and evidence, including whether the incident(s) leading to the exclusion were provoked;
- allow the pupil to give their version of events;
- and consider if the pupil has special educational needs (SEN).

Definition of the school day

For the purposes of exclusions & suspensions, school day is defined as any day on which there is a school session. Therefore, INSET or staff training days do not count as a school day.

4. COMMUNICATION AND ALTERNATIVE PROVISION

Communication with the parent / carer

The Principal/Executive Head Teacher will immediately provide the following information, in writing, to the parents/carers of an excluded/suspended pupil:

- The reason(s) for the exclusion or suspension
- The length of a fixed-term suspension or, for a permanent exclusion, the fact that it is permanent
- Information about parents/carers’ right to make representations about the exclusion to the Governing Body and how the pupil may be involved in this
- How any representations should be made
- Where there is a requirement for the Governing Body to meet to consider the reinstatement of a pupil, and that parents/carers have a right to attend a meeting, be represented at a meeting (at their own expense) and to bring a friend

The Principal/Executive Head Teacher will also notify parents/carers by the end of the afternoon session on the day their child is excluded that for the first 5 school days of an exclusion, or until the start date of any alternative provision where this is earlier, parents/carers are legally required to ensure that their child is not present in a public place during school hours without a good reason. Parents may be given a fixed penalty notice or prosecuted if they fail to do this.

Alternative provision, in the event of a fixed-period suspension of more than 5 school days

For a fixed-period exclusion of more than 5 school days, the Principal/Executive Head Teacher will arrange suitable full-time education for the pupil. This provision will begin no later than the sixth day of the exclusion.

Provision does not have to be arranged for pupils in the final year of compulsory education who do not have any further public examinations to sit.

If alternative provision is being arranged

If alternative provision is being arranged, the following information will be included when notifying parents/carers of an exclusion:

- The start date for any provision of full-time education that has been arranged
- The start and finish times of any such provision, including the times for morning and afternoon sessions, where relevant
- The address at which the provision will take place
- Any information required by the pupil to identify the person they should report to on the first day

Where this information on alternative provision is not reasonably ascertainable by the end of the afternoon session, it may be provided in a subsequent notice, but it will be provided no later than 48 hours before the provision is due to start. The only exception to this is where alternative provision is to be provided before the sixth day of an exclusion, in which case the information can be provided with less than 48 hours' notice with parents'/carers' consent.

Exclusions information for DfE

Where requested, within 14 days of receipt of a request, the Principal/Executive Head Teacher will provide the Secretary of State with information about any exclusions in the last 12 months.

5. IN THE EVENT OF A PERMANENT EXCLUSION

In the unlikely event of making a permanent exclusion, the school will liaise with the local authority to arrange a managed move if that is possible, rather than permanently exclude, leaving the pupil with no school place. Maypole School will, wherever possible, provide education offsite, if it is deemed inappropriate or unsafe for a pupil to remain attending the school site, but where the school would be able to provide a suitable programme of education offsite, thereby enabling the pupil to remain on roll.

6. INFORMING THE GOVERNING BODY AND LOCAL AUTHORITY

The Principal/Executive Head Teacher will immediately notify the Governing Body and the local authority (LA) of:

- A permanent exclusion, including when a fixed-period suspension is followed by a decision to permanently exclude a pupil
- Suspensions which would result in the pupil being excluded for more than 5 school days (or more than 10 lunchtimes) in a term
- Suspensions which would result in the pupil missing a public examination

For a permanent exclusion, if the pupil lives outside the LA in which the school is located, the Principal/executive Head Teacher will also immediately inform the pupil's 'home authority' of the exclusion and the reason(s) for it without delay.

For all other suspensions, the Principal/Executive Head Teacher will notify the Governing Body and LA once a term.

7. THE GOVERNING BODY

Where a permanent exclusion is the decision of the Principal/Executive Head Teacher, the Governing Body will be informed immediately.

The Governing Body will be involved if a child is permanently excluded, and the parent/carer appeal the decision. In this event the Governing Body will have a duty to consider the reinstatement of the excluded pupil.

8. CONSIDERING THE REINSTATEMENT OF A PUPIL

Criteria for considering reinstatement

The Principal/Executive Head Teacher and Governing Body will consider the reinstatement of an excluded pupil within 15 school days of receiving the notice of the exclusion if:

- The exclusion is permanent
- It is a fixed-term suspension which would bring the pupil's total number of school days of suspension to more than 15 in a term
- It would result in a pupil missing a public examination or national curriculum test

If requested by Parents / Carers

If requested to do so by parents, the school will consider the reinstatement of an excluded pupil within 15 school days of receiving notice of the exclusion if the pupil would be excluded from school for more than 5 school days, but less than 15, in a single term.

If a pupil will miss a public examination

Where an suspension would result in a pupil missing a public examination the school will consider the reinstatement of the pupil before the date of the examination. If this is not practicable, the chair of the Governing Body will consider the suspension independently and decide whether or not to reinstate the pupil.

Reinstatement decision making

The Principal/Executive Head Teacher and Governing Body can either:

- Decline to reinstate the pupil, or
- Direct the reinstatement of the pupil immediately, or on a particular date

In reaching a decision, the school/Governing Body will consider whether the exclusion was lawful, reasonable and procedurally fair, and whether the Principal/Executive Head Teacher followed their legal duties. They will decide whether or not a fact is true 'on the balance of probabilities', which differs from the criminal standard of 'beyond reasonable doubt'; as well as on any evidence that was presented in relation to the decision to exclude.

Minutes will be taken of the meeting, and a record of evidence considered kept. The outcome will also be recorded on the pupil's educational record.

The school/Governing Body will notify, in writing, the parents/carers and the LA of its decision, along with reasons for its decision, without delay.

9. SCHOOL REGISTERS

A pupil's name will be removed from the school admissions register if:

- 15 school days have passed since the parents were notified of the exclusion panel's decision to not reinstate the pupil;
- or if the parents have stated in writing that they will not be applying for an independent review panel.

Where an application for an independent review has been made, the school will wait until that review has concluded before removing a pupil's name from the register.

Where alternative provision has been made for an excluded pupil and they attend it, code B (education off-site) or code D (dual registration) will be used on the attendance register.

Where excluded pupils are not attending alternative provision, code E (absent) will be used.

10. RETURNING FROM A FIXED-TERM SUSPENSION

Following a fixed-term suspension, a re-integration meeting will be held involving the pupil, parents/carers, a member of senior staff and other staff, as appropriate.

The following measures may be implemented when a pupil returns from a fixed-term suspension:

- agreeing a behaviour contract;
- working in a different cohort (this may be for an agreed period);
- working 1:1 with a staff member (this may be for an agreed period);
- reparation;
- restorative session/s.

11. MONITORING ARRANGEMENTS

The Principal and Executive Head Teacher monitor the number of suspensions every term, and report to the Governing Body termly. Where applicable, they also liaise with the Local Authority to ensure suitable full-time education for excluded pupils.

12. LINKS WITH OTHER POLICIES

This exclusions policy is linked to our:

- Behaviour Policy
- SEN Policy

- School / Home Contract