

Suspension and Exclusion Policy

ISP Whitstable



Approved by: Local Governing Body **Date:** July 2024

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1. Introduction

A decision to suspend a pupil, either for a fixed period (FPE) or permanently (PEX) is seen as a last result by ISP Whitstable whilst always bearing in mind our duty of care to pupils and staff. The decision to suspend or exclude a pupil must be lawful, reasonable and fair.

ISP Whitstable is responsible for communicating to pupils, parents and staff its expectations of conduct and behaviour. A range of policies and procedures are in place to promote good behaviour and in turn our core values of kindness, commitment and resilience.

ISP Whitstable will take account of all needs when considering whether or not to suspend or exclude a pupil. The Head Teacher will ensure that reasonable steps have been taken by the school to respond to any disability so the pupil is not treated less favourably for reasons related to the disability. Where reasonable adjustments to policies and practices have been made, to accommodate a pupil's needs and to avoid the necessity for suspension or exclusion as far as possible, exclusion may be justified if there is material and substantial reason for it. A specific incident affecting order and discipline in the school may be such a reason.

No suspension or exclusion will be initiated without having first exhausted other strategies or, in the case of a serious single incident, a thorough investigation.

Reasons for suspensions and exclusions

- Use or threat of use of an offensive weapon or prohibited item
- Abuse against sexual orientation and gender identity
- Abuse relating to disability
- Inappropriate use of social media or online technology
- Wilful and repeated transgression of protective measures in place to protect public health
- Physical assault against a pupil
- Physical assault against an adult
- Verbal abuse/threatening behaviour against a pupil
- Verbal abuse/threatening behaviour against an adult
- Bullying
- Racist abuse
- Sexual misconduct
- Drug and alcohol related
- Damage to property
- Theft
- Smoking/Vaping or having smoking/vaping paraphernalia
- Persistent or general disruptive behaviour
- Refusal to hand in mobile phone

A decision to exclude a pupil permanently should only be taken if there is a:

- Serious breach of the school rules or policies
- Risk of harm to the education or welfare of the pupil or others in the school

In line with DfE guidance, a decision to exclude a pupil can only be made by the Head Teacher.

Fixed period suspension

A fixed period suspension will be used for the shortest time necessary to secure benefits without adverse educational consequences.

Suspension for a period of time from half a day to 5 days for persistent or cumulative problems would be imposed only when the school had already offered and implemented a range of support and management strategies. ISP Whitstable have a variety of strategies as an alternative to an suspension.

Temporary suspension may be used in response to a serious breach of our school rules and policies or a disciplinary offence. In such cases the Head Teacher will investigate the incident thoroughly, and will consider all evidence to support the allegation, taking account of the school's policies. The pupil will be encouraged, and if necessary be supported by familiar staff and parents, to give his/her version of events. A member of the Leadership Team will check to find out whether the incident may have been provoked, for example by bullying and/or harassment.

From the sixth day of suspension the pupil **MUST** have access to education.

Permanent Exclusion

A permanent exclusion is a very serious decision and the Head Teacher will consult with the Governor's before enforcing it. As with a temporary suspension, It will follow a range of strategies and be seen as a last resort, or it will be in response to a very serious breach of the school rules and policies.

The decision to suspend or exclude

If The Head Teacher decides to exclude a pupil, they will:

- Ensure that there is sufficient recorded evidence to support the decision
- Explain the decision to the pupil
- Contact the parents/carers to explain the decision and ask that the child be collected
- Send a letter to the parents/carers confirming the reason for the suspension, whether it is a permanent or temporary suspension, the length of the suspension and any terms and conditions agreed for the pupils return.
- In cases of more than a day's suspension, ensure that appropriate work is set
- Plan how to address the pupils needs on his/her return
- Plan a meeting with parents and pupil on his/her return

Pupils who have a social worker, including looked-after children, and previously looked-after children

For the majority of children who have a social worker, that is due to known safeguarding risks at home or in the community: over half are in need due to abuse or neglect. For children with a social worker, education is an important protective factor, providing a safe space for children to access support, be visible to professionals and realise their potential. When children are not in school, they miss the protection and opportunities it can provide, and become more vulnerable to harm. However, Head Teachers should balance this important reality with the need to ensure calm and safe environments for all pupils and staff, so should devise strategies that take both of these aspects into account.

Where a pupil has a social worker, e.g., because they are the subject of a Child in Need Plan or a Child Protection Plan, and they are at risk of suspension or permanent exclusion, the Head Teacher should inform their social worker, the Designated Safeguarding Lead (DSL) and the pupil's parents to involve them all as early as possible in relevant conversations.

Where a looked-after child (LAC) is likely to be subject to a suspension or permanent exclusion, the Designated Teacher (DT) should contact the local authority's VSH as soon as possible. The VSH, working with the DT and others, should consider what additional assessment and support need to be put in place to help the school address the factors affecting the child's behaviour and reduce the need for suspension or permanent exclusion. Where relevant, the school should also engage with a child's social worker, foster carers, or children's home workers.

Behaviour outside of the school

Pupils' behaviour outside the school, on trips and sporting events is subject to the schools behaviour policy. Negative behaviour in such circumstances will be dealt with as if it had taken place within the school.

Marking attendance registers following Suspension

When a pupil is suspended temporarily, he/she will be marked as absent using code 'E'

Removal from the school for other reasons

The Head Teacher may send a pupil home, after consultation with the parents and a health professional as appropriate, if the pupil poses an immediate and or serious risk to the health and safety of other pupils and staff, e.g., because of a diagnosed illness such as a notifiable disease. This will not be classed as a suspension and should be for the shortest possible time.

Procedure for appeal

If parents/foster parents wish to appeal against the decision to permanently exclude, the matter will be referred to the Board of governors. Governors who were not initially involved in the decision to exclude will acknowledge the complaint and schedule a hearing to take place as soon as is practicable and normally within 5 days.

Records relating to the decision to exclude and the parents' complaint will be copied to all parties not later than two days prior to the hearing. In no circumstances however will the school or its staff be required to divulge to parents/foster parents or

others any confidential information on or the identities of pupils or others who have given information which has led to the exclusion or which the Head Teacher has acquired during an investigation.

Parents/foster parents may be accompanied by one other person. This may be a relative, friend or teacher. Legal representation will not normally be appropriate. If possible the complaint will be resolved without the need for further action. If further investigation is required it will be decided how this will be carried out. After consideration of all the facts considered to be relevant, a decision will be reached on whether to rescind or uphold the exclusion.

Parents/foster parents will be informed in writing of the decision and the reasons for it. This decision will be final and any recommendations will be sent to the parents.

Parents/foster parents are still entitled to appeal against this decision if it has upheld the Head Teachers decision to permanently exclude their child; even if they did not make a case to, or attend, the meeting. Where parents/foster parents dispute the decision not to reinstate a permanently excluded pupil, they can ask for this decision to be reviewed by an independent panel.

The independent review panel does not have any power to direct a governing body to reinstate an excluded pupil. However, where a panel decides that a governing body's decision is flawed when considered in the light of the principles applicable on an application for judicial review. It can direct a governing body to reconsider its decision.

This policy also links to: Behaviour Policy and statement of behaviour principles

All of our policies can be found here

<https://ispschools.org.uk/teynham/school-policies/>

1	March 2022
2	February 2023
3	July 2023
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