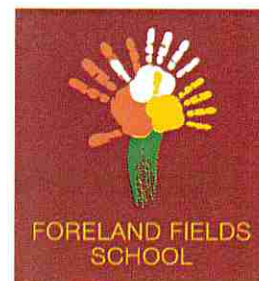



Foreland Fields School

Suspension and Permanent Exclusion Policy



Governing Body Approval and Categories

Date of Last Review / Scrutiny	26 th March 2025
Date (Month / Year) of Next Review /Scrutiny	26 th March 2028
Date Policy was Ratified	26 th March 2025
Category of the Policy	Teaching and Learning
Named Lead for Writing the Policy	Headteacher
Named Governor for Scrutiny	Chair of Governors
Approval Body	Full Governing Body
Display on Main Web Site	Yes
NOTE: IF THIS POLICY HAS BEEN SCRUTINISED BY A DIFFERENT LEAD GOVERNOR OR BEEN RATIFIED BY A DIFFERENT GOVERNING TEAM PLEASE STATE WHICH TEAM	-
Signed – Chair of Governors	Date
	26-3-25

United Nations Convention on the Rights of the Child

Foreland Fields School is a Rights Respecting School thereby this policy ensures that the following rights are acknowledged:



- Article 3 (Best interests of the child). The best interests of the child must be a top priority in all decisions and actions that affect children.
- Article 5 (Parental guidance and a child's evolving capacities). Governments must respect the rights and responsibilities of parents and carers to provide guidance and direction to their child as they grow up, so that they fully enjoy their rights. This must be done in a way that recognises the child's increasing capacity to make their own choices.
- Article 12 (Respect for the views of the child). Every child has the right to express their views, feelings and wishes in all matters affecting them, and to have their views considered and taken seriously.
- Article 23 (Children with a disability). A child with a disability has the right to live a full and decent life with dignity and, as far as possible, independence and to play an active part in the community.
- Article 28 (Right to education). Every child has the right to an education. Primary education must be free and different forms of secondary education must be available to every child.

Foreland Fields School

Suspension and Permanent Exclusion Policy

Guidance on Suspensions and Permanent Exclusions can be found at:

https://assets.publishing.service.gov.uk/media/66be0d92c32366481ca4918a/Suspensions_and_permanent_exclusions_guidance.pdf

<https://www.kelsi.org.uk/kent-PRU-and-attendance-service-KPAS/exclusion-and-reintegration/guidance-on-exclusion>

Introduction

A decision to suspend or exclude a pupil is seen as a last resort by the school while always bearing in mind our duty of care to pupils and staff.

The school is responsible for communicating to pupils, parents and staff its expectations of standards of conduct. A range of policies and procedures are in place to promote good behaviour and appropriate conduct:

- Positive Behaviour Policy
- Staff Behaviour Policy (Staff Code of Conduct)
- Attendance Policy
- Complaints Policy and Procedure
- Special Educational Needs and Disability Policy

Where reasonable adjustments have been made to accommodate a pupil's needs and to avoid the necessity for suspension or permanent exclusion, this may however still be justified, if there is a material and substantial reason for it. A specific incident affecting order and discipline in the school may be such a reason.

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

Informal or unofficial exclusions, such as sending pupils home 'to cool off', are unlawful, regardless of whether they occur with the agreement of parents or carers. Any suspension/exclusion of a pupil, even for short periods of time, must be formally recorded.

Duties under the Education and Inspections Act 2006

Under the Education and Inspections Act 2006, Headteachers of maintained schools and pupil referral units must determine measures to be taken with a view to:

- promoting self-discipline and proper regard for authority among pupils.
- encouraging good behaviour and respect for others on the part of pupils.
- preventing all forms of bullying among pupils.
- securing that the standard of behaviour of pupils is acceptable.

- securing that pupils complete any tasks reasonably assigned to them in connection with their education.
- otherwise regulating the conduct of pupils.

Permanent exclusions can be used to help achieve these aims when they are absolutely necessary, as a last resort.

Who Can Exclude

Only the Headteacher of a school can suspend or permanently exclude a pupil on disciplinary grounds. A pupil 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.

Duties under the Equality Act 2010 and Children and Families Act 2014

Under the Equality Act 2010 (the Equality Act) and the Equality Act 2010, schools must not discriminate against, harass, or victimise pupils because of their: sex, race, disability, religion or belief, sexual orientation, pregnancy/maternity, or gender reassignment. For disabled children, this includes a duty to make reasonable adjustments to any provision, criterion or practice which puts them at a substantial disadvantage.

Action to Prevent Exclusion

There are proven strategies used by schools to prevent and reduce the use of suspension or permanent exclusion. Foreland Fields School will take action to prevent exclusion including looking at staffing, training staff in specific approaches, meeting with parents and initiating behaviour support plans and/or Pastoral Support Plans.

Pastoral Support Programme/Plan

A Pastoral Support Programme (PSP) is a school-based intervention that is designed to support young people who are at risk of permanent exclusion, or who are at risk of becoming disaffected through repeated suspensions.

The PSP is designed to bring together views and solutions from a variety of perspectives. It is a multi-agency meeting with a focus on the needs of the pupil. It includes the views of parents or carers, the pupil, the school and other services involved with the pupil. The PSP is an outcome driven plan with targets set for the pupil, the school, the family and other agencies involved in supporting change.

A PSP:

- is school based.
- is time-limited.
- has smart targets with practical strategies.
- is overseen by a school leader e.g. Headteacher or Deputy Headteacher.
- follows a standard format so involves minimum administration.
- includes the views of the young person and their family.

The PSP is regularly reviewed, amended and developed in response to pupil progress.

Suspension

A suspension, where a pupil is temporarily removed from the school, is an essential behaviour management tool. A pupil 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 pupil that their current behaviour is putting them at risk of permanent exclusion. Where suspensions are becoming a regular occurrence for a pupil, the school will consider whether suspension alone is an effective sanction for the pupil and whether additional strategies need to be put in place to address behaviour.

It is important that during a suspension, pupils still receive their education. The Headteacher will take steps to ensure that work is set and marked (as appropriate) for pupils during the first five school days of a suspension. This can include utilising any online pathways such as Google Classroom or Oak National Academy (as appropriate to the individual).

The school's legal duties to pupils with disabilities or SEN remain in force, for example, to make reasonable adjustments in how they support disabled pupils during this period.

A suspension can also be for parts of the school day. For example, if a pupil'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, apply in all cases.

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 suspension.

Permanent Exclusion

A permanent exclusion is when a pupil is no longer allowed to attend a school (unless the pupil is reinstated). The decision to exclude a pupil permanently should only be taken:

- in response to a serious breach or persistent breaches of the school's behaviour policy.
- where allowing the pupil to remain in school would seriously harm the education or welfare of the pupil or others such as staff or pupils in the school.

For any permanent exclusion, the Headteacher will take reasonable steps to ensure that work is set and marked for pupils during the first five school days where the pupil will not be attending alternative provision. Any appropriate referrals to support services or notifying key workers (such as a pupil's social worker) should also be considered.

Cancelling Exclusions

The Headteacher can cancel any exclusion that has already begun (or one that has not yet begun), but this can only happen when the Governing Body has not yet met to consider whether the pupil should be reinstated. Where an exclusion is cancelled:

- The Headteacher must notify the parents, the Governing Body, the LA and the pupil's social worker and VSH as applicable, without delay. The notification must also provide the reason for the cancellation.
- The Governing Body duty to consider reinstatement ceases, and there is no requirement to hold a meeting to consider reinstatement.
- Parents (or the excluded pupil if they are 18 years or older) should be offered the opportunity to meet the Headteacher to discuss the circumstances that led to the exclusion being cancelled which should be arranged without delay.
- The pupil must be allowed back into the school from which they were excluded without delay.
- Any days spent out of school as a result of any exclusion, prior to the cancellation will count towards the maximum of 45 school days permitted in any school year.

Notifying Parents of an Exclusion

Whenever a pupil is excluded, the Headteacher will notify the parent without delay, preferably in person or by telephone in the first instance as this will allow parents to ask any initial questions or raise concerns. This decision will also be followed up by letter.

All exclusion cases will be treated in the strictest confidence, only those who need to know the details will be informed of them.

The Headteacher will provide parents with the following information in writing:

- the reason(s) for the suspension or permanent exclusion.
- the period of a suspension or, for a permanent exclusion, the fact that it is permanent.
- parents' right to make representations about the suspension or permanent exclusion to the Governing Body and how the pupil may be involved in this.
- how any representations should be made.

Where there is a legal requirement for the Governing Body to consider whether the pupil should be reinstated, that parents or an excluded pupil (if they are 18 years or older) have a right to attend a meeting, to be represented at that meeting (at their own expense) and to bring a friend.

Informing the Governing Body and Local Authority

The Headteacher will, without delay, notify the Governing Body of:

- any permanent exclusion.
- any suspension or permanent exclusion which would result in the pupil being suspended or permanently excluded for a total of more than five school days (or more than ten lunchtimes) in a term.
- any suspension or permanent exclusion which would result in the pupil missing a public examination or national curriculum test.

The Headteacher must also inform the Governing Body once per term of any other suspensions of which they have not previously been notified.

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, this 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 receive 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. Headteachers 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 Headteacher will 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) will contact the local authority's Virtual School Head (VSH) as soon as possible. The VSH, working with the DT and others, should consider what additional assessment and support needs 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.

Where previously looked-after children face the risk of being suspended or permanently excluded, the school should engage with the child's parents and the school's DT. The school may also seek the advice of the VSH on strategies to support the pupil.

Informing Social Workers and Virtual School Heads (VSH) about an Exclusion

Information sharing is vital in safeguarding children and promoting their welfare, including their educational outcomes. Foreland Fields School will 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.

Whenever a child is suspended or permanently excluded, the Headteacher will, without delay, notify the social worker if a pupil has one, and the VSH if the pupil is a LAC, of the period of the suspension or permanent exclusion and the reason(s) for it.

The social worker and/or VSH, will be informed when a Governing Body meeting is taking place, in order to share information. The social worker and/or the VSH can attend the meeting, should they wish to do so.

Reintegration Meeting

Schools should support pupils to reintegrate successfully into school life and full-time education following a suspension. They should design a reintegration strategy that offers the pupil a fresh start, helps them understand the effect of their behaviour on themselves and others, teaches them how to meet the high expectations of behaviour in line with the school culture, fosters a renewed sense of belonging within the school community and builds engagement with learning.

The reintegration strategy should be clearly communicated at a reintegration meeting which will be held before or at the beginning of the pupil's return to school. During a reintegration meeting, the school should communicate to the pupil that they are valued, and their previous behaviour should not be seen as an obstacle to future success. Where possible this meeting should include the pupil's parents. It is important to note that a pupil should not be prevented from returning to a mainstream classroom if parents are unable or unwilling to attend a reintegration meeting.

Part-Time Timetables

A part-time timetable should not be used to manage a pupil's behaviour and must only be in place for the shortest time necessary. Any pastoral support programme or other agreement should have a time limit by which point the pupil is expected to attend full-time education, either at school or alternative provision. There should also be formal arrangements in place for regularly reviewing a part-time timetable with the pupil and their parents. In agreeing to a part-time timetable, a school has agreed to a pupil being absent from school for part of the week or day and must take the appropriate steps for a leave of absence.

The Governing Body and Local Authority's Duty to arrange Education for Excluded Pupils

The Governing Body and local authority play an important role in ensuring that children who have been excluded from school receive a suitable education that facilitates their successful reintegration into education or meets their long-term needs.

For a suspension of more than five school days, the Governing Body must arrange suitable full-time education for any pupil of compulsory school age. This provision is commonly called alternative provision and must begin no later than the sixth school day of the suspension.

Where a child receives consecutive suspensions, these are regarded as a cumulative period of suspension for the purposes of this duty. This means that if a child has more than five consecutive school days of suspension, then education must be arranged for the sixth school day of suspension, regardless of whether this is because of one decision to suspend the pupil for the full period or multiple decisions to suspend the pupil for several periods in a row.

For permanent exclusions, the local authority must arrange suitable full-time education for the pupil to begin from the sixth school day after the first day the permanent exclusion took

place. This will be the pupil's 'home authority' in cases where the school is in a different local authority area.

Where a pupil has an EHCP, as is the case with all pupils at Foreland Fields, the local authority may need to review the plan or reassess the child's needs, in consultation with parents, with a view to identifying a new placement.

The local authority must have regard to the relevant statutory guidance when carrying out its duties in relation to the education of looked-after children.

Provision does not have to be arranged by either the school or the local authority for a pupil in the final year of compulsory education who does not have any further public examinations to sit.

The Education of Pupils prior to the Sixth Day of an Exclusion

It is important for schools to help minimise the disruption that suspension or permanent exclusion can cause to a pupil's education. Whilst the statutory duty on the Governing Body or local authority is to arrange full-time education from the sixth day of a suspension or permanent exclusion, there is an obvious benefit to the pupil in starting this provision as soon as possible. In the case of a looked-after child or child with a social worker, the school and the local authority should work together to arrange alternative provision from the first day following the suspension or permanent exclusion.

Where it is not possible, or not appropriate, to arrange alternative provision during the first five school days of a suspension or permanent exclusion, the school should take reasonable steps to set and mark work for the pupil. Online pathways such as Google Classroom or Oak Academy can be used but schools should ensure that the work set is accessible and achievable by the pupil outside school.

Procedure for Appeal

The Governing Body is responsible for reviewing the Headteacher's decision to exclude a pupil permanently or for a long fixed-term suspension and deciding whether to direct reinstatement, where that is a practical option. The Governing Body is also responsible for considering any representations made by the parents of excluded pupils following shorter fixed-term exclusions.

Parents have the right to make representations about the decision to suspend their child to the School Governing Body. If they wish to make representations they should contact the Clerk and Governance Professional to the Governing Body, as soon as possible by either writing to the school or emailing for the attention of the Clerk and Governance Professional to the Governing Body at foreland@foreland.kent.sch.uk. The Governing Body has a responsibility to consider any representations.

In the event of a permanent exclusion, the Governing Body must meet to consider the decision to exclude. At the review meeting, parents may make representations to the School Governing Body if they wish and ask them to reinstate their child in school. The Governing

Body have the power to reinstate the child immediately or from a specified date, or, alternatively, they have the power to not reinstate the child back into school. In which case parents may apply for the School Governing Body decision to be reviewed by an Independent review panel.

If parents believe the suspension or permanent exclusion relates to a disability, and that disability discrimination has occurred, they have the right to appeal, and/or make a claim, to the First Tier Tribunal, Special Educational Needs and Disability Tribunal (SENDIST). The address to which claims should be sent is: First-Tier Tribunal (Special Educational Needs and Disability), 1st Floor, Darlington Magistrates Court, Parkgate, Darlington, DL1 1RU. The claim must be lodged within 6 months of the date of the suspension or permanent exclusion. Further information can be found here: www.justice.gov.uk/tribunals/send/appeals. Making a claim would not affect a parent's right to make representations to the Governing Body/management committee.

