



# SUSPENSION AND EXCLUSIONS POLICY

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## 1. POLICY STATEMENT

Northampton Primary Academy Trust Partnership (NPAT) is dedicated to providing the best possible education and support for all pupils within its schools. We believe that every child has an equal right to access full education and to achieve the very best they can within their school.

Therefore, the suspension or exclusion of a child is regarded as a serious sanction, to be utilised only when other strategies have failed, or in the event of a severe violation of the rules. It is the Trust's policy to support children to stay in school wherever possible and to avoid an external suspension or permanent exclusion.

This means having a clear, fair and efficient procedure for dealing with exclusions. This policy makes it clear to staff, supply staff, pupils, parents and governors that every effort is made to encourage children to behave appropriately. However, we accept that for some children school represents a challenge and as such, there may be rare occasions when a formal suspension or exclusion from school is unavoidable.

## 2. WHO DOES THIS POLICY APPLY TO

The policy sets out guidelines and circumstances under which a pupil may be suspended or permanently excluded from a Northampton Primary Academy Trust (NPAT) school and applies to all pupils, including those who may be below or above compulsory school age, at all Trust schools. The policy is available on each school website.

In this policy the term Headteacher also includes any person formally appointed as Acting Headteacher.

## 3. POLICY REVIEW ARRANGEMENTS

This policy is to be reviewed at least every two years alongside other linked policies and/or to reflect directives from the DfE.

## 4. BASIC PRINCIPLES

The Trustees of Northampton Primary Academy Trust Partnership (NPAT) have approved and adopted this policy with the overall aims that:

- Pupils are safe and happy in school
- Staff are in a safe working environment

- The school Behaviour Policy should be adhered to at all times. This outlines the strategies to be used for rewarding and sanctioning children in the classroom and around school
- Suspensions and exclusions should be used as an absolute last resort
- The suspensions and exclusions process is applied fairly and consistently
- The suspensions and exclusions process is understood by all governors, staff, parents and pupils
- Suspensions and exclusions are carried out lawfully.

As a Trust, we are committed to reducing the use of suspensions and exclusions to a minimum and this policy is based around good management practices that seek to address problem behaviour before it reaches a crisis point and provide ongoing processes to encourage good behaviour in all our pupils.

### **A note on off-rolling**

Our Trust 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.”

We will not suspend or exclude pupils unlawfully by directing them off site or not allowing pupils to attend school without following the statutory procedure, contained in the [School Discipline \(Pupil Exclusions and Reviews\) \(England\) Regulations 2012](#), or formally recording the event, such as sending them home to 'cool off'. In addition, we will not suspend or exclude pupils unlawfully:

- Solely because they have special educational needs and/or a disability (SEND) that the school feels unable to support
- Due to poor academic performance
- Because they haven't met a specific condition, such as attending a reintegration meeting
- By exerting undue influence on a parent to encourage them to remove their child from the school.

## **5. DEFINITIONS**

School day – For the purposes of suspensions exclusions, a 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.

Suspension – When a pupil is removed from the school for a fixed period. This was previously referred to as a ‘fixed-term exclusion’.

Permanent exclusion – when a pupil is removed from the school permanently and taken off the school roll. This is sometimes referred to as an ‘exclusion’.

Parent – any person who has parental responsibility and any person who has care of the child.

Managed move – when a pupil is transferred to another school permanently. All parties, including parents and the admission authority for the new school, should consent before a managed move occurs.

## 6. 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 - from September 2023.](#)

It is based on the following legislation, which outlines schools’ powers to exclude pupils:

- Section 51a of the Education Act 2002, as amended by the Education Act 2011
- 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 sets out 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](#)
- [The Equality Act 2010](#)
- [Children and Families Act 2014](#)

This policy complies with our funding agreement and articles of association.

Where a child’s behaviour is consistently giving cause for concern, parents must be informed and preferably involved, and there should be an Individual Behaviour Plan in place. A Handling Plan must be in place, signed by a parent or guardian, where there is a possibility that positive handling may be used.

## 7. THE DECISION TO SUSPEND OR EXCLUDE

Any 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.

Only the Headteacher, or Acting Headteacher, can suspend or permanently exclude a pupil from school on disciplinary grounds. The decision can be made in respect of behaviour inside or outside of school. In the case of a permanent exclusion the matter must be discussed and agreed with the NPAT CEO or School Improvement Leader. All suspension and permanent exclusion decisions ultimately rest with the Headteacher.

The Headteacher must always notify the Trust CEO and/or School Improvement Leader and seek advice where any potential suspension or permanent exclusion involves a child with special educational needs or disability (SEND), or a looked-after or previously looked-after child, or for any exclusion in which the circumstances are complex. Headteachers may also find it helpful to access the support and advice of their LA social, emotional and mental health teams.

The Headteacher can suspend a pupil from school (exclude for a fixed period of time), or, where appropriate and practicable, offer an internal suspension to another NPAT or local school.

The rare decision to begin the process to permanently exclude a child MUST be discussed with the CEO or, in their absence, the NPAT School Improvement Leader or Chief Operations Officer. The process to permanently exclude a child will be taken as a last resort and when all other possible options have been exhausted.

Before deciding to suspend or exclude a pupil, the Headteacher will:

- Consider all the relevant facts and evidence on the balance of probabilities, including whether the incident(s) leading to the exclusion were provoked
- Allow the pupil to give their version of events
- Consider whether the pupil has special educational needs (SEN)
- Consider whether the pupil is especially vulnerable (e.g. the pupil has a social worker, or is a looked-after child (LAC))
- Consider whether all alternative solutions have been explored, such as managed moves.

The Headteacher will consider the views of the pupil, in light of their age and understanding, before deciding to suspend or exclude, unless it would not be appropriate to do so.

Pupils who need support to express their views will be allowed to have their views expressed through an advocate, such as a parent or social worker.

The Headteacher will not reach their decision until they have heard from the pupil, unless it is not appropriate to do so, and will inform the pupil of how their views were taken into account when making the decision. If it is not possible to hear from the pupil before making the decision, their views will be sought at the earliest opportunity.

Where a suspension or exclusion is necessary, as well as the distress caused to the pupil and their parents, this is often has a detrimental emotional impact on members of school staff who are involved. Therefore, support from counselling, debriefing sessions and supporting one another is important and encouraged.

## 8. SUSPENSION

Most suspensions are of short duration (usually between one and three days). The DfE regulations allow the Headteacher to suspend a pupil for one or more fixed periods not exceeding 45 days in any one school year.

Following a suspension decision, parents are contacted immediately. A letter (see Appendix 5) will be sent by post, giving the reason for the suspension, details about it and the date the suspension ends. Parents have a right to make representations as directed in the letter.

A Return to School meeting will be held following the expiry of the suspension, and this will involve the Headteacher or a member of the school senior leadership team and other staff where appropriate.

During the course of a suspension where the pupil is to be at home, parents are advised that the pupil is not allowed on the school premises and that daytime supervision is their responsibility as parents/guardians or carers.

Records relating to suspension will be stored confidentially and in line with Trust GDPR policies.

## 9. PERMANENT EXCLUSION

The decision to exclude a pupil permanently is a serious one. There are two main situations in which permanent exclusion may be considered.

The first is a final, formal step in a process for dealing with disciplinary offences which follows the use of a wide range of other strategies that have been used without success. It is an acknowledgement that all available strategies have been exhausted and is used as a last resort. This would include persistent and defiant misbehaviour.

The second is where there are exceptional circumstances and it is not appropriate to implement other strategies, and where it could be appropriate to permanently exclude a pupil for a first or 'one off' offence. These might include:

- Serious or threatened violence against another pupil or member of staff
- Behaviour which poses a significant risk to the child's own safety.

These examples are not exhaustive but indicate the severity of such offences and the fact that such behaviour seriously affects the discipline and wellbeing of the school.

## 10. ROLES AND RESPONSIBILITIES

### a. Roles and Responsibilities - The Headteacher

The Headteacher will be responsible for ensuring that parents/guardians, the local governing body and the NPAT CEO are appropriately informed.

The Headteacher will ensure that appropriate procedures are followed for the removal of a permanently excluded child from the school register (Appendix 1).

#### Informing parents

If a pupil is at risk of suspension or exclusion the Headteacher will inform the parents as early as possible, in order to work together to consider what factors may be affecting the pupil's behaviour, and what further support can be put in place to improve the behaviour.

If the Headteacher decides to suspend or exclude a pupil, the parents will be informed, in person or by telephone, of the period of the suspension or exclusion and the reason(s) for it, without delay.

The Headteacher will also provide the following information in writing to the parents of a suspended or excluded pupil:



- The reason(s) for the suspension or permanent exclusion
- The length of the suspension or, for a permanent exclusion, the fact that it is permanent
- Information about parents' right to make representations about the suspension or permanent exclusion to the local governing body and, where the pupil is attending alongside the parents, how they may be involved in this
- How representations should be made
- Where there is a legal requirement for the local governing body to hold a meeting to consider the reinstatement of a pupil, and that parents have a right to attend the meeting, be represented at the meeting (at their own expense) and bring a friend
- That parents have the right to request that the meetings will be held remotely, and how and to whom they should make this request.

Further guidance on informing parents can be found in Appendix 1.

### **Informing the local governing body and the Trust**

Following any decision to suspend or exclude a pupil, the Headteacher must notify the local governing body and the Trust CEO without delay of:

- Any permanent exclusion, including when a suspension is followed by a decision to permanently exclude a pupil
- Any suspension that would result in the pupil being suspended for more than five school days (or more than 10 lunchtimes) in a term
- Any suspension or permanent exclusion that would result in the pupil missing a national curriculum test
- Any suspension or permanent exclusion that has been cancelled, including the reason for the cancellation.

For all other suspensions, the Headteacher will notify the local governing body and the Trust once a term through the Headteacher's Report to Governors.

### **Informing the local authority (LA)**

The Headteacher will notify the LA of all suspensions and permanent exclusions without delay, regardless of the length of a suspension. This is usually done via the Capita One system.

The notification will include:

- The reason(s) for the suspension or permanent exclusion

- The length of a suspension or, for a permanent exclusion, the fact that it is permanent.

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

The Headteacher must notify the LA without delay of any cancelled exclusions, including the reason the exclusion was cancelled.

### **Informing the pupil's social worker and/or virtual school head (VSH)**

If a:

- **Pupil with a social worker** is at risk of suspension or permanent exclusion, the Headteacher will inform **the social worker** as early as possible
- **Pupil who is a looked-after child (LAC)** is at risk of suspension or exclusion, the Headteacher will inform **the VSH** as early as possible.

This is in order to work together to consider what factors may be affecting the pupil's behaviour, and what further support can be put in place to improve the behaviour.

If the Headteacher decides to suspend or permanently exclude a pupil with a social worker/a pupil who is looked-after, they will inform the pupil's social worker/the VSH, as appropriate, without delay, that:

- They have decided to suspend or permanently exclude the pupil
- The reason(s) for the decision
- The length of the suspension or, for a permanent exclusion, the fact that it is permanent
- The suspension or permanent exclusion affects the pupil's ability to sit a National Curriculum test (where relevant)
- They have decided to cancel a suspension or permanent exclusion, and why (where relevant).

The social worker/VSH will be invited to any meeting of the local governing body about the suspension or permanent exclusion. This is so that they can provide advice on how the pupil's background and/or circumstances that may have influenced the circumstances of their suspension or permanent exclusion. The social worker should also help ensure safeguarding needs and risks and the pupil's welfare are taken into account.

## **Cancelling suspensions and permanent exclusions**

The Headteacher may cancel a suspension or permanent exclusion that has already begun, or one that has not yet begun, but only where it has not yet been reviewed by the local governing body. Where there is a cancellation:

- The parents, local governing body and LA will be notified without delay
- Where relevant, any social worker and VSH will be notified without delay
- The notification must provide the reason for the cancellation
- The local governing body's duty to hold a meeting and consider reinstatement ceases
- Parents will be offered the opportunity to meet with the Headteacher to discuss the cancellation, which will be arranged without delay
- The pupil will be allowed back in school 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.

A permanent exclusion cannot be cancelled if the pupil has already been excluded for more than 45 school days in a school year or if they will have been so by the time the cancellation takes effect.

## **Providing education during the first five days of a suspension or permanent exclusion**

During the first five days of a suspension, if the pupil is not attending alternative (AP) provision, the Headteacher will take steps to ensure that achievable and accessible work is set and marked for the pupil. Online provision recommended by the school may be used for this. If the pupil has a special educational need or disability, the Headteacher will make sure that reasonable adjustments are made to the provision where necessary.

If the pupil is looked after or if they have a social worker, the school will work with the LA to arrange AP from the first day following the suspension or permanent exclusion. Where this isn't possible, the school will take reasonable steps to set and mark work for the pupil, including the use of online pathways.

## **b. Roles and Responsibilities - The Local Governing Body**

### **Considering suspensions and permanent exclusions**

Responsibilities regarding exclusions are delegated to an exclusions panel of three members drawn from the local governing body or other governors from across the Trust as appropriate.

The exclusions panel has a duty to consider parents' representations about a suspension or permanent exclusion. It has a duty to consider the reinstatement of a suspended or permanently excluded pupil (see Appendix 2) in certain circumstances.

Within 14 days of receiving a request, the local governing body will provide the secretary of state insert 'and the LA' if you are a maintained school or pupil referral unit (PRU) with information about any suspensions or exclusions within the last 12 months.

For any suspension of more than five school days, the local governing body will arrange suitable full-time education for the pupil. This provision will begin no later than the sixth day of the suspension.

### **Monitoring and analysing suspensions and exclusions data**

The local governing body will review, challenge and evaluate the data on the school's use of suspension, exclusion, off-site direction to alternative provision, and managed moves.

The local governing body will consider:

- How effectively and consistently the school's behaviour policy is being implemented
- The school register and absence codes
- Instances where pupils receive repeat suspensions
- Interventions in place to support pupils at risk of suspension or permanent exclusion
- Any variations in the rolling average of permanent exclusions, to understand why this is happening, and to make sure they are only used when necessary
- Timing of moves and permanent exclusions, and whether there are any patterns, including any indications which may highlight where policies or support are not working
- The characteristics of suspended and permanently excluded pupils, and why this is taking place
- Whether the placements of pupils directed off-site into alternative provision are reviewed at sufficient intervals to assure that the education is achieving its objectives and that pupils are benefiting from it
- The cost implications of directing pupils off-site.

### **c. Roles and Responsibilities - The Trust**

If parents apply for an independent review, the Trust will arrange for an independent panel to review the decision of the local governing body not to reinstate a permanently excluded pupil. Applications for an independent review must be made within 15 school days of notice being given to the parents by the local governing body of its decision to not reinstate a pupil.

The Trust will ensure that all members of an independent review panel and clerks have received training within the two years prior to the date of the review. Please see Appendix 3 for further guidance.

### **d. Roles and Responsibilities – The Local Authority**

For permanent exclusions, the LA is responsible for arranging suitable full-time education to begin no later than the sixth day after the first day of the exclusion.

For pupils who are looked-after or have social workers, the LA and the school will work together to arrange suitable full-time education to begin from the first day of the exclusion.

## **11. RETURNING FROM A SUSPENSION**

Following a suspension, a reintegration meeting will be held involving the pupil, parents, a member of senior staff and other staff, where appropriate.

Additional measures may be implemented when a pupil returns from a fixed-term exclusion, for example:

- Agreeing a behaviour contract
- Implementation of a positive reward plan or report system
- Implementation of a Positive Handling Plan

### **a. Reintegration strategy**

Following suspension, or cancelled suspension or exclusion, the school will put in place a strategy to help the pupil reintegrate successfully into school life and full-time education.

Where necessary, the school will work with third-party organisations to identify whether the pupil has any unmet special educational and/or health needs.

The following measures may be implemented, as part of the strategy, to ensure a successful reintegration into school life for the pupil:

- Maintaining regular contact during the suspension or off-site direction and welcoming the pupil back to school
- Daily (e.g. morning) meet and greet session
- Regular contact in school with a designated pastoral professional
- Mentoring by a trusted adult or a local mentoring charity
- Allocation of a peer 'buddy'
- Implementation of a behaviour reward system
- Regular reviews with the pupil and parents to praise progress being made and raise and address any concerns at an early stage
- Informing the pupil, parents and staff of potential external support.

Part-time timetables will not be used as a tool to manage behaviour; however, they may be used in exceptional circumstances to support a pupil's wellbeing or pastoral needs. If used, part-time timetables will be put in place for the minimum time necessary and with the aim of building up to full-time attendance.

The strategy will be regularly reviewed and adapted where necessary throughout the reintegration process in collaboration with the pupil, parents, and other relevant parties.

#### **b. Reintegration meetings**

The school will clearly explain the reintegration strategy to the pupil in a reintegration meeting before or on the pupil's return to school. During the meeting the school will communicate to the pupil that they are getting a fresh start and that they are a valued member of the school community.

The pupil, parents, a member of senior staff, and any other relevant staff will be invited to attend the meeting. The meeting can proceed without the parents in the event that they cannot or do not attend.

The school expects all returning pupils and their parents to attend their reintegration meeting, but pupils who do not attend will not be prevented from returning to the classroom.

## **12. REMOTE ACCESS TO MEETINGS**

Parents can request that a local governing body meeting, or independent review panel be held remotely. If the parents don't express a preference, the meeting will be held in person.

In case of extraordinary or unforeseen circumstances, which mean it is not reasonably practicable for the meeting to be held in person, the meeting will be held remotely.

Remotely accessed meetings are subject to the same procedural requirements as in-person meetings.

The local governing body and the Trust should make sure that the following conditions are met before agreeing to let a meeting proceed remotely:

- All the participants have access to the technology which will allow them to hear, speak, see and be seen
- All the participants will be able participate fully
- The remote meeting can be held fairly and transparently

Social workers and the VSH always have the option of joining remotely, whether the meeting is being held in person or not, as long as they can meet the conditions for remote access listed above.

The meeting will be rearranged to an in-person meeting without delay if technical issues arise that can't be reasonably resolved and:

- Compromise the ability of participants to contribute effectively, or
- Prevent the meeting from running fairly and transparently.

### 13. MONITORING ARRANGEMENTS

The school will collect data on the following:

- Attendance, permanent exclusions and suspensions
- Use of pupil referral units, off-site directions and managed moves
- Anonymous surveys of staff, pupils, governors/trustees and other stakeholders on their perceptions and experiences

The data will be analysed regularly by the Headteacher. The Headteacher will report back to the local governing body.

The data will be analysed from a variety of perspectives including:

- At school level
- By age group
- By time of day/week/term
- By protected characteristic

The school will use the results of this analysis to make sure it is meeting its duties under the Equality Act 2010. If any patterns or disparities between groups of pupils are identified by this analysis, the school will review its policies in order to tackle it.

The Trust will work with its school to consider this data, and to analyse whether there are patterns across the Trust, recognising that numbers in any one school

may be too low to allow for meaningful statistical analysis. The CEO will monitor the number of suspensions and exclusions every term on behalf of the Trust and reports back to the Board of Trustees.

## 14. LINKS WITH OTHER POLICIES

This suspensions and exclusions policy is linked to the

- School's behaviour policy
- SEND policy
- SEND information report
- Safeguarding and child protection policy
- Anti-bullying policy
- Equality policy