

## St Barnabas C of E First and Middle School

*'Let all that you do be done in love' 1 Corinthians ch16 v14*



# Suspensions Policy

Reviewed by	Approved by	Date of Approval	Version Approved	Next Review Date
EAW	LAB	October 2022	v1	September 2023

## **Our Vision.**

We are an inclusive Church School with a commitment to providing quality education that meets the needs of all. We aim to create successful learners, confident individuals and responsible citizens through our Christian approach of love and cooperation. **'Let all that you do be done in love'** encourages us to have a lifelong love of learning so we flourish as human beings.

**'Let all that you do be done in love' I Corinthians ch16 v14**

*We believe that as a school, we work in partnership with parents and carers to lead, guide, encourage and instruct children within a framework of rights, responsibilities, values and rules. Effective behaviour management is essential to the smooth running of our school and in the creation of an environment where everyone's faith, rights and responsibilities are addressed.*

We are a Church of England First and Middle school where we respect and promote all Christian values. *We have the highest expectations of conduct – we believe in the importance of good manners and in treating others with care and respect at all times, both in and outside of the classroom.*

School Values:

**Respect**

**Generosity**

**Love**

**Thankfulness**

**Honesty**

**Courage**

# **Suspensions Policy**

## **Rational**

We hope that through our use of behaviour procedures, and close consultation with parents over any learning and behaviour problems that no child at St Barnabas would reach the level of needing to be suspended.

We see suspension as a final sanction, where warranted, which will only be used, after careful consideration, when all other possible sanctions have been tried and have been unsuccessful. Permanent exclusions will only be used as a last resort, in response to serious or persistent breaches of the School's Behaviour Policy. The handling of suspensions of pupils from school is governed by Education Acts and guidelines.

## **Grounds for Suspension**

The principles which underline a decision to exclude a pupil from St Barnabas are as follows: -

- A need to avoid risk and danger to pupils and/or staff. The bringing into the school of anything deemed to be an offensive weapon will result in the police being informed and a suspension
- Incidents which breach the law
- Persistent and severe bullying
- A single serious, major incident. In the case of a serious assault on another person occasioning injury, the Head will first establish whether there are elements of self-defence or retaliation against an assault before determining the appropriate disciplinary action
- Constant disruption
- Verbal and physical abuse
- Deliberately spitting or coughing on or at any pupil or member of staff/adult
- Permanent exclusion will only be used when allowing a pupil to remain in the school would seriously harm the education or welfare of the pupil or others in school.

The Behaviour Policy identifies support mechanisms available to staff in their work with pupils whose behaviour is a cause for concern. If these fail to give successful results the decision to exclude rests entirely with the Head. It can only be delegated to, or assumed by the Deputy Head in the Head's absence. The Governors' / LAB's role is to uphold or dismiss a Head's recommendation.

The decision to suspend a pupil must be lawful, reasonable and fair. Schools have a statutory duty not to discriminate against pupils on the basis of protected characteristics, such as disability or race. The school will give particular consideration to the fair treatment of pupils from groups who are vulnerable to suspension. Disruptive behaviour can be an indication of unmet needs.

Whilst a single, major incident may justify suspension, continued failure to respond to other sanctions may also arise. In such cases incidents causing concern and actions taken must be fully and accurately recorded by the Head and staff concerned. If the school has a concern about pupil behaviour, we will try and identify if there are any casual factors and intervene early in order to reduce the need for a subsequent suspension. This may lead to a multi-agency assessment that goes beyond pupil's educational need. Every effort will be made to discuss behaviour problems with parents and to seek co-operation in resolving problems before suspension is considered for any child.

**The Role of Governors / Local Academy Board (LAB)** - The Governing Body / LAB has the responsibility of setting down these general guidelines on standards of discipline and behaviour which reflect the school's ethos of positive behaviour and of reviewing their effectiveness.

The governing body / LAB will follow the WCF guidelines on suspension.

The governors / LAB supports the Head in carrying out these guidelines.

The Head has the day-to-day authority to implement the school's behaviour and discipline policies but governors / LAB may give advice.

**The Role of Parents** - We hope to encourage parents to play a positive part in the resolution of any learning and behaviour difficulties. Every effort will be made to enable discussion to take place with the parent especially when suspension is being contemplated.

Where, despite approaches and the involvement of outside agencies, the school is unable to persuade a parent to visit and discuss problems; the matter will be passed to the governing body / LAB.

### **Fixed-term and permanent Suspensions**

Only the Head has the power to exclude a pupil from the school. The Head may exclude a pupil for one or more fixed periods for up to 45 days in any one academic year. The Head may also exclude a pupil permanently. It is possible for the Head to convert fixed term suspension into a permanent suspension, if the circumstances warrant this.

If the Head excludes a pupil they must inform the parents immediately, giving reasons for the suspension. At the same time the Head makes it clear to the parents that they can, if they wish, appeal against the decision to the Governing Body / LAB. The school must inform the parents how to make an appeal. The Head must inform WCF on all suspensions using the appropriate form.

The Head must inform WCF and the Governing Body / LAB of any permanent suspensions and about any fixed term suspensions beyond five days in any one term.

The Governing Body / LAB itself cannot either exclude a pupil or extend the suspension period made by the Head. The Governing Body / LAB has a discipline panel. This panel considers any suspension appeals on behalf of the governors / LAB.

When an appeals panel meets to consider any suspension, they consider the circumstances in which the pupil was excluded, consider any representation by parents and the WCF and consider whether the pupil should be reinstated.

If a governors / LAB appeal panel decides that a pupil should be reinstated the Head must comply with this ruling. On reintegrating pupils back into school, they will meet with the Head / Deputy Head at 8.40 am on the first day back at school, with parents/carers, where discussions will take place for management of future behaviour.

The school should set and mark work for pupils during days 1 – 5 of the suspension and alternative provision must be arranged from the 6th day.

### **Monitoring and evaluation**

The Head monitors the effectiveness of this policy on a regular basis. They will also report to the governing body / LAB on the effectiveness of the policy and, if necessary, make recommendations for changes and improvements.

The school will keep a variety of records of misbehaviour. The class teacher will record incidents on Arbor.

The Head will keep a record of any pupil who is excluded for a fixed term or who is permanently excluded. It is the responsibility of the Governing Body / LAB to monitor the rate of suspensions and to ensure that the school policy is administered fairly and consistently.

Where parents dispute the decision of a Governing Body / LAB not to reinstate a permanently excluded pupil, they can ask for this decision to be reviewed by an Independent review panel. Where there is an allegation of discrimination (under the Equality Act 2010) in relation to a fixed-period or permanent suspension, parents can also make a claim to the First-Tier Tribunal (for disability discrimination) or a County Court (for other forms of discrimination).

An independent review panel does not have the power to direct a Governing Body / LAB 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 / LAB to reconsider its decision. If the Governing Body / LAB does not subsequently offer to reinstate a pupil, the panel will be expected to order that the school makes an additional payment. This payment will go to the Local Authority towards the cost of providing alternative provision.

Whether or not a school recognises that a pupil has special educational needs (SEN) all parents have the right to request the presence of a SEN expert at an independent review panel. The SEN expert's role is to provide impartial advice to the panel about how SEN could be relevant to the suspension; for example, whether the school acted reasonably in relation to its legal duties when excluding the pupil.

Excluded pupils should be enabled and encouraged to participate at all stages of the suspension process, taking into account their age and understanding.

## **Review**

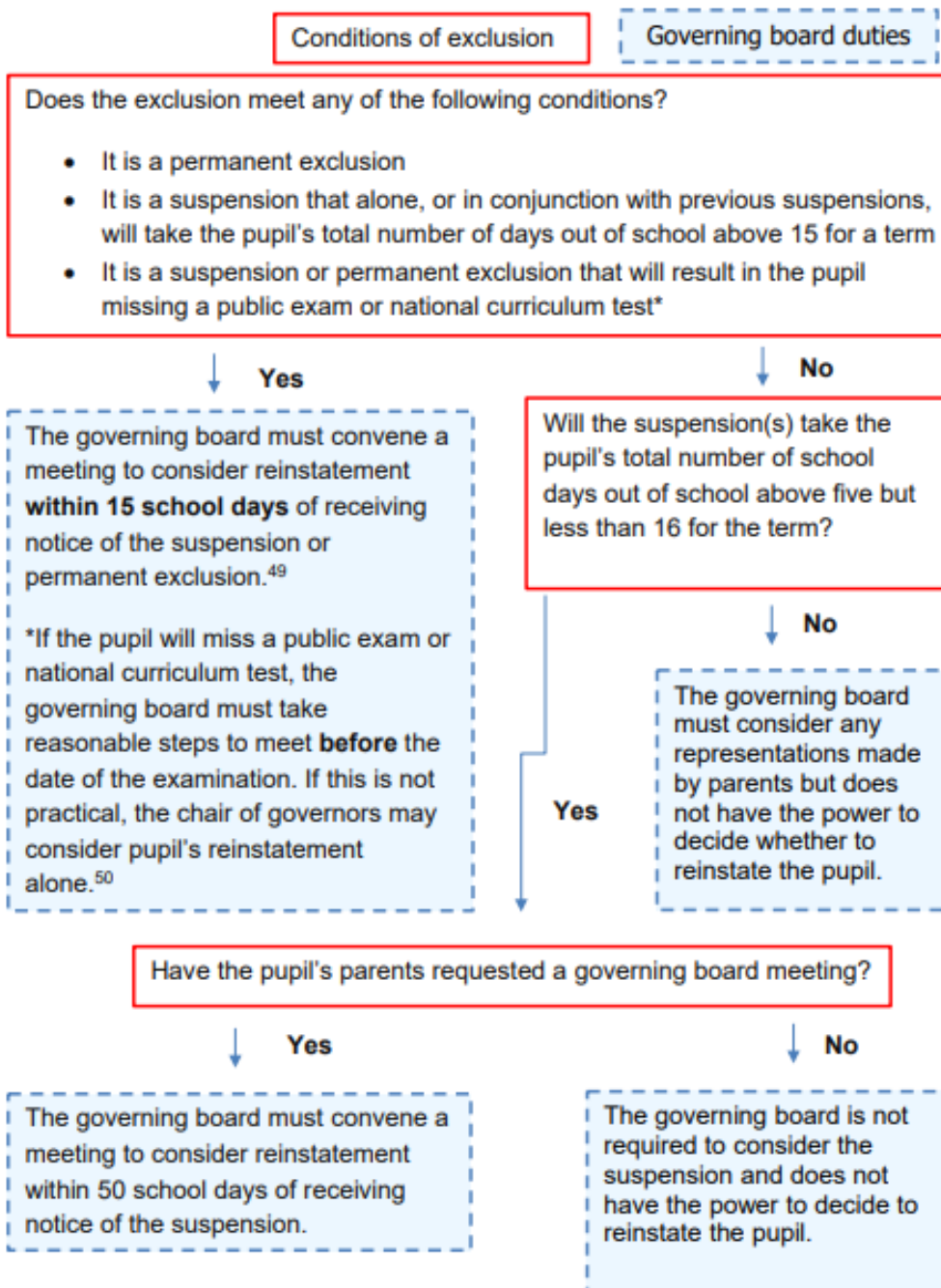
The governing body / LAB will review this policy every three years. The governors / LAB may, however, review the policy earlier than this if the government introduces new regulations, or if the governing body / LAB receives recommendations on how the policy might be improved.

This policy is based on advice from the DFE guidance

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/1101498/Suspension\\_and\\_Permanent\\_Exclusion\\_from\\_maintained\\_schools\\_\\_academies\\_and\\_pupil\\_referral\\_units\\_in\\_England\\_\\_including\\_pupil\\_movement.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1101498/Suspension_and_Permanent_Exclusion_from_maintained_schools__academies_and_pupil_referral_units_in_England__including_pupil_movement.pdf)

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## A summary of the governing board's duties to review the headteacher's exclusion decision



<sup>49</sup> The governing board may delegate its functions to consider a suspension or permanent exclusion to a designated committee.

<sup>50</sup> The ability for a chair to review in the case of public exams refers only to maintained schools.