

# Lady Royd Primary School

## Suspension and Exclusion Policy



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## School Values

Lady Royd Primary treat all members of the community with respect which is not conditional on past experience or current behaviour. The school staff work with pupils to demonstrate all aspects of our 6 School Values:

**Accountability** - Take responsibility for own actions, behaviour and learning, belongings and surroundings and support others in doing the same.

**Self-Confidence** - Celebrate your individuality and demonstrate the self confidence in your own ability to make the right choices.

**Perseverance** - Apply yourself to every aspect of school life with positivity and determination to do your very best.

**Integrity** - Always be truthful and act with kindness, honesty and integrity.

**Respect** - Treat people with the same levels of respect, courtesy and fairness you would expect from others.

**Empathy** - Understand and share another person's experiences and emotions.

Pupils at all stages of their education are encouraged to develop these values through explicit teaching and rewards. The behaviour demonstrated by applying these values underpins an atmosphere in school which supports and develops a positive learning environment.

The school is committed to:

- Promoting desired behaviour.
- Promoting self-esteem, self-discipline, proper regard for authority, and positive relationships based on mutual respect.
- Ensuring equality and fair treatment for all.
- Praising and rewarding good behaviour.
- Challenging and disciplining misbehaviour.
- Providing a safe environment, free from disruption, violence, discrimination, bullying and any form of harassment.
- Encouraging positive relationships with parents.
- Developing positive relationships with pupils to enable early intervention.
- Promoting a culture of praise and encouragement in which all pupils can achieve.

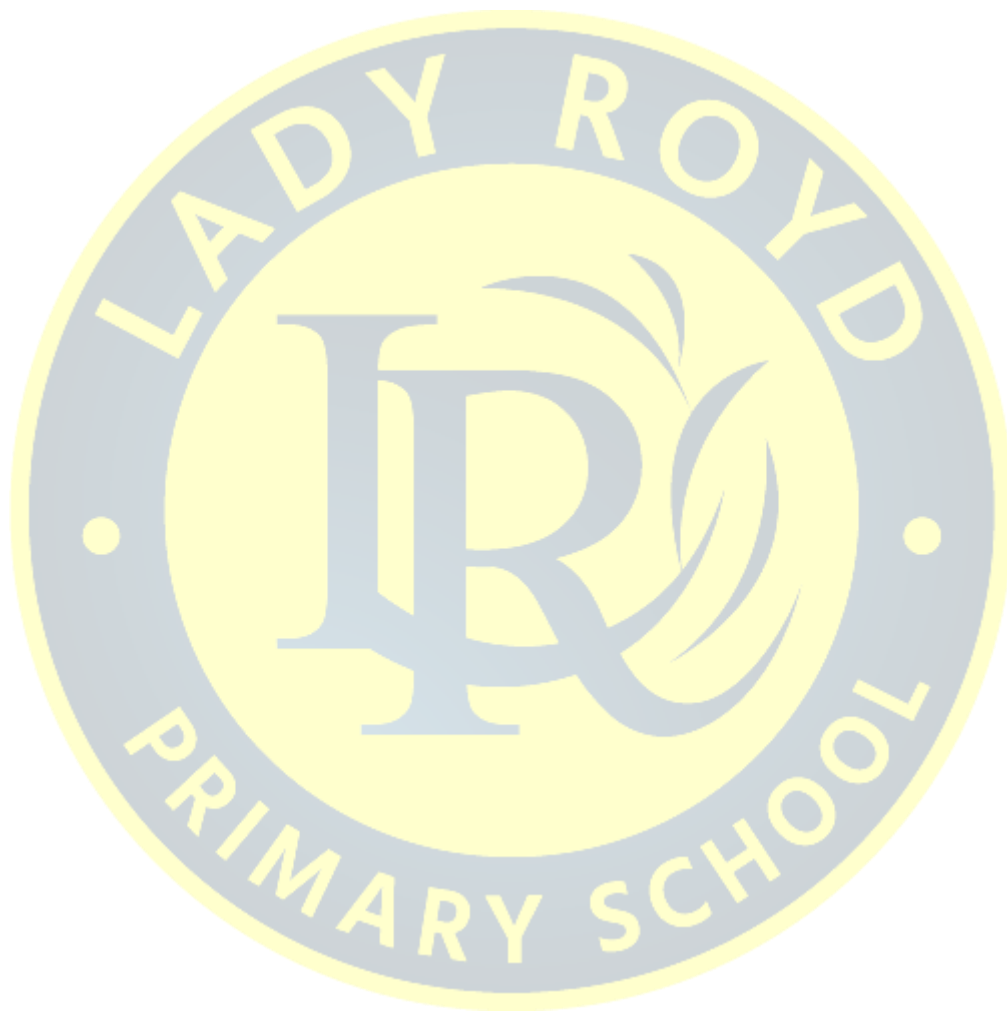
'Good behaviour in schools is essential to ensure that all pupils benefit from the opportunities provided by education. Therefore, the government recognises that school exclusions, managed moves and off-site

direction are essential behaviour management tools for headteachers and can be used to establish high standards of behaviour in schools and maintain the safety of school communities'. (DFE Suspension and Permanent Exclusion Guidance 2024).

## The Need for a Policy

All members of the school community have a role to play in ensuring that behaviour in school supports

a positive atmosphere which allows all pupils to flourish, develop and learn and we promote positive behaviour through the examples set by adults and pupils, our behaviour policy and by having high expectations. Our behaviour policy ensures that pupils learn that there are consequences to inappropriate behaviour and there are clear sanctions for when a pupil does not meet the expected standard.



There are occasions when it is necessary and appropriate to suspend pupils for a fixed period, or, in very rare cases, permanently exclude. In most cases permanent exclusion will be the last resort after a full range of measures have been tried to improve a pupil's behaviour and engender a sense of personal responsibility. Whenever suspensions or permanent exclusions are used the DFE'S Suspension and Permanent Exclusion Guidance (Sept 2023) is followed.

At Lady Royd Primary School, pupils identified as being at risk of suspension and permanent exclusion are provided with strategies to meet individual needs so that the school can support the pupil and their family as much as possible. Permanent exclusion is viewed as the strongest sanction possible and is available to the school only through the authority of the Headteacher, or Deputy/Assistant Headteacher in their absence.

A decision to permanently exclude a pupil from the school should be taken only a) in response to a serious breach or persistent breaches of the school's behaviour policy and b) 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.

### **Purpose**

The purpose of this policy is to set out the process for fixed term suspensions and permanent exclusions for the benefit of parents, staff and pupils so as to ensure a consistent and fair process for all concerned.

### **Parents**

The definition of a parent for the purposes of the Education Act is broadly drawn. In addition to the child's birth parents, references to parents in this guidance include any person who has parental responsibility (which includes the local authority where it has a care order in respect of the child) and any person (for example, a foster carer) with whom the child lives.

### **Prevention of Suspension and Permanent Exclusion**

1. The behaviour and attitudes of pupils is monitored regularly by class teachers, key stage leaders and SLT in the primary phase. Where pupils are at risk of suspension or permanent exclusion they are supported in a number of different ways including: report cards, mentoring and pupil support plans, parent meetings and alternative timetables and they may also be supported by external agencies such as Early Help and CAMHS.

### **Fixed Term Suspension**

Fixed-term suspension means that a pupil is not allowed to come to the school for a fixed period of time. Pupils can also be suspended for lunchtime periods if behaviour at lunchtime is disruptive. A pupil may be suspended for one or more fixed periods (up to a maximum of 45 school days in an academic year).

### **Situations leading to a fixed term suspension**

The school's Behaviour Policy clearly states the situations which will normally lead to fixed-term

suspension but it is also at the discretion of the Headteacher and Assistant Head in their absence, to suspend for an incident which may not be covered by the behaviour policy and which is deemed to be of equal seriousness. Suspension will not be used for minor incidents; poor academic performance, punctuality concerns or breaches of uniform rules (except where the latter is resulting in persistent and open defiance of such rules). The length of fixed term suspension is at the discretion of the Headteacher but will be for the shortest time deemed appropriate.

#### **Procedure after a decision to fixed term suspend a pupil has been made**

1. Parents/carers will be informed by telephone where possible that a decision to suspend has been made. This will be followed by a letter of confirmation outlining the reasons for the decision and the Governors' Pupil Disciplinary Committee process.
2. Any suspension that leads to a pupil totaling over 15 school days suspension in a term must be referred to the Governors' Pupil Disciplinary Committee. This Committee must meet within 15 school days of receiving notice of the suspension. The Headteacher and parents/carers will be invited to make representations to the Committee. The Committee will consider whether the Headteacher's decision to suspend was lawful, reasonable, procedurally fair, and proportionate, and will make a decision on whether or not to reinstate the pupil i.e. whether or not to uphold the suspension which lead to the pupil totaling over 15 school days suspension in a term. The clerk will inform parents/carers in writing of the Governors' decision within 1 school day.
3. This Committee must also convene if parents/carers request such a meeting for a suspension that leads to a pupil totaling over 5 school days suspension in a term or up to 15. This Committee must meet within 50 school days of receiving notice of the suspension.
4. If parents/carers request a Committee meeting in relation to a suspension that leads to a pupil totaling 5 school days suspension in a term or less, the Committee must consider any representations made by parents/carers, but it cannot direct reinstatement and is not required to arrange a meeting with parents/carers.
5. Before a meeting of the Governors' Pupil Disciplinary Committee the school will send all the relevant material to the parents/carers and the governors on the panel 5 school days in advance of the meeting. Parents/carers have the right to be accompanied by a friend or representative.
6. Pupils will have a return to education meeting after a fixed-term suspension (normally with the Deputy Headteacher or Assistant Headteacher for behaviour) where it is expected that parents/carers will attend with the pupil in question. The purpose of the meeting is to promote an improvement in behaviour, to emphasize the joint responsibility between school and parents/carers regarding the pupil and to explore measures to prevent further misbehaviour.
7. The pupil, parent and school all sign the return to education form, which sets our clear targets to achieve.
8. The school will keep a formal record of all fixed-term suspensions

### **Pupil welfare during suspension.**

1. The parents have a legal responsibility to ensure that the pupil is not present in a public place e.g. parks, shopping centres at any time during school hours. (Bradford Council may issue fines to parents if this is breached.)
2. The school will set work (either paper based or online – MS Teams/ Google Classroom). If paper based it is the parent/carers' responsibility to collect the work and return it to school.
3. After day 5 of suspension the school will arrange for alternative temporary education – usually at a different local school, or at a Pupil Referral Unit.
4. If a pupil is suspended at lunchtimes and is entitled to Free School Meals then the school can make arrangements for a packed lunch to be provided if parents/carers wish.

### **Permanent Exclusion**

The decision to permanently exclude a pupil is never taken lightly. A permanent exclusion means that a pupil is never allowed to come back into the school; the responsibility for finding the pupil their next educational establishment lies with the Local Authority.

#### **Situations leading to permanent exclusion**

After all other initiatives to improve behaviour have been exhausted, permanent exclusion may result from serious on-going behaviour problems or the failure of a managed move.

There will, however, be exceptional circumstances where, in the Headteacher's judgment, it is appropriate to permanently exclude a pupil for a first or 'one-off' offence. These may include:

- Serious actual or threatened violence against another pupil or a member of staff.
- Sexual abuse or assault.
- Pupils who have a dangerous weapon on the premises or on the way to or from school in the community.
- Pupils who purposely tamper with or set off the fire alarm.
- Supplying an illegal drug
- Other offence considered by the Headteacher to be exceptionally serious; particularly in cases of repeat offending where other sanctions have been shown to have failed.

These instances are not exhaustive but indicate the severity of such offences and the fact that such behaviour can affect the discipline and well-being of the school community. The decision to permanently exclude a pupil is never taken lightly.

DFE statutory exclusions guidance (2023) also states on page 11 that 'the behaviour of a pupil outside school can be considered grounds for a suspension or permanent exclusion.'

## **Procedure for decision making**

The decision to permanently exclude may only be taken by the Headteacher. The standard of proof to be applied is the civil standard of proof i.e. on the balance of probabilities, if it is more probable than not that the pupil did what they are alleged to have done, the Headteacher may permanently exclude the pupil.

Permanent exclusion will not be imposed in the heat of the moment. In exceptional circumstances, usually where further evidence has come to light through an investigation, the Headteacher may issue a permanent

exclusion to begin immediately after the end of a suspension. Before deciding whether to exclude a pupil permanently the Headteacher will:

- a) Ensure that a thorough investigation has been carried out;
- b) Consider all the evidence available to support the allegations, taking account of the school's behaviour and equal opportunities policies, and, where applicable, Race Relations legislation and Disability Discrimination legislation;
- c) Allow the pupil to give their version of events;
- d) Check whether the incident may have been provoked, for example by bullying or by racial or sexual harassment;
- e) If necessary, consult others, but not anyone who may later have a role in reviewing the Headteacher's decision, for example a member of the Governing Body.

## **Procedure after a decision to permanently exclude has been made**

1. Parents/carers will be informed without delay that a decision to permanently exclude has been made – either by telephone or in a meeting with the Headteacher. This will be followed by a letter of confirmation outlining the reasons for the decision as stated on the Ex1/Ex3 form and the Governors' Pupil Disciplinary Committee process (sent electronically or via the post).
2. The school will inform the parent/carer of the date of the Governors' Pupil Disciplinary Committee meeting at which governors will hear the school's case and the parents/carers/pupil's case.
3. Before the meeting the school will send all the relevant material to the parents/carers and the Governors on the Committee 5 school days in advance of the meeting.
4. The Governors will hear the case, at which parents/carers may be accompanied by a friend or representative. Governors will consider whether the Headteacher's decision to permanently exclude was lawful, reasonable, procedurally fair, and proportionate, and will make a decision on whether or not to reinstate the pupil i.e. whether or not to uphold the permanent exclusion. The clerk will inform parents/carers in writing of the Governors' decision within 1 school day.
5. Parents/carers do have a right of appeal to an independent review panel in the event that Governors uphold the permanent exclusion and information regarding this will be included in the letter sent to parents/carers. Parents must make this request within 15 school days of receiving notification of the permanent exclusion, and the panel should meet to review the case within 15 school days of the parents' request. Parents have a right to require the Trust to appoint a SEND

expert to attend the review, regardless of whether the pupil has recognised special educational needs.

The panel may make one of three decisions:

- uphold the governing board's decision not to reinstate;
- recommend that the governing body reconsiders reinstatement; or
- quash the governing board's decision and direct that the governing body board reconsiders reinstatement.

#### **Pupil welfare following a permanent exclusion**

6. The pupil may not come to the school or into the school grounds unless invited in.
7. The parents have a legal responsibility to ensure that the pupil is not present in a public place e.g. parks, shopping centres at any time during school hours. (Bradford Council may issue fines to parents if this is breached.)

#### **Monitoring and Review**

The Headteacher will report on the number of suspensions and exclusions and their outcome to the Governors who will review the working of this policy.

