



# **SUSPENSION & PERMANENT EXCLUSION POLICY**

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*This policy should be read/considered in conjunction with Laurence Jackson School's Behaviour & Conduct Policy.*

At Laurence Jackson School, we are committed to providing the best educational experience we can for all of our students, which includes maintaining a disciplined learning environment.

We have established a range of focused strategies to encourage students to develop mature and responsible behaviour allowing them to achieve their personal best. These strategies are detailed in section 9 of our Behaviour & Conduct Policy, are used alongside our rewards system (section 8 of the same Policy) and are applied in a consistent manner by our staff.

However, if the strategies mentioned above fail to modify a student's behaviour or a serious incident warrants it, suspension will be considered.

## **1. Internal Suspension**

- 1.1) Internal Suspension is the first tier of suspension we use at Laurence Jackson School. This sanction will be considered when all other strategies available to the school have been implemented but have been unsuccessful in modifying the behaviour of the student or in response to a first offence of a more serious nature.

## **2. Fixed Term Suspension**

- 2.1) More serious breaches of the school's Behaviour & Conduct policy may result in a student receiving a suspension (SUS). This would also be used if a student refuses to meet expectations whilst internally suspended or in Reflection.
- The decision to exclude a student must be lawful, reasonable and fair. Laurence Jackson School will give particular consideration to vulnerable students before a suspension is given.
  - Only the Headteacher can suspend and it must be on the grounds of discipline. A student can be suspended for up to 45 days within an academic year.
  - All children have the right to an education and Laurence Jackson School will take reasonable steps to set work and mark work for the first 5 days of an suspension period.
  - Alternative provision for education must be made by the sixth day (known as Sixth day provision). This will be provided in consultation with parents/carers, SLT and the appropriate provider.
  - Following an suspension, the parent/carer will be required to attend a return to school meeting where a plan for reducing the likelihood of further suspensions will be discussed.
  - Further guidance can be found at [School suspensions and permanent exclusions - GOV.UK \(www.gov.uk\)](https://www.gov.uk/school-suspensions-and-permanent-exclusions)
- 2.2) Where a student repeats behaviour which has already led to a suspension, further suspensions will be issued using a stepped approach, for example; a student receives a 1 day suspension for defiance and refusal, if this behaviour is repeated they will be issued with a 2 day suspension and so on up to a maximum of a 5 day suspension.

- 2.3) If a student is suspended for more than 15 days within a school term, the student and parents/carers will be invited to attend a Governors' Disciplinary Committee, where the student's future at the school will be discussed.
- 2.4) Permanent exclusion will not be imposed instantly unless there is an immediate threat to the safety of others in the school or the student concerned.
- 2.5) If the Headteacher is satisfied that on the balance of probabilities the student did what he or she is alleged to have done, exclusion will be the outcome.

### 3. Reasonable Adjustments

- 3.1) As an inclusive school we understand that some students need additional support to ensure that they meet our high expectations. Laurence Jackson School will, in line with the Equality Act 2010, make reasonable adjustments in relation to this policy where appropriate, including for those students with Special Education Needs and disabilities.
- 3.2) To ensure our duties are met Laurence Jackson School will
  - Consider the SEND Code of Practice\*
  - Monitor the behaviour and suspensions of SEND students
  - Call an emergency/annual review for SEND students where behaviour is a concern and the student is struggling to meet our behaviour expectations

### 4. Permanent Exclusion

- 4.1) Permanent Exclusion will only be used in the most extreme cases where all other options have been considered. All evidence will be presented to a Panel of Governors prior to the exclusion meeting. The Local Authority will be invited to attend this meeting. The Local Authority will be responsible for providing alternative education should a Permanent Exclusion be upheld.
- 4.2) In line with the Academy Trust's Articles of Association and Schemes of Delegation, the decision to exclude will only be made by the Headteacher. A decision to exclude a student permanently should only be taken: in response to serious or persistent breaches of the school's policy; and where allowing the student to remain in the school would seriously harm the education or welfare of the student or others in the school.
- 4.3) A decision to exclude a student permanently will only be taken:
  - in response to a serious breach or persistent breaches of the school's behaviour policy;
  - where allowing the student to remain in school would seriously harm the education or welfare of the student or others in the school.

\*You are disabled under the Equality Act 2010 if you have a physical or mental impairment that has a 'substantial' and 'long-term' negative effect on the ability to do normal daily activities.

**Substantial** – is more than minor or trivial, e.g. it takes much longer than it usually would to complete a daily task like getting dressed.

**Long-term** – means 12 months or more

- 4.4) Incidents which may result in permanent exclusion include;
- Persistently poor and disruptive behaviour
  - Acts of aggression/violence (actual or threatened) toward another student or a member of staff.
  - Criminal activity (including but not limited to, possession, consumption and/or supplying illegal drugs, sexual abuses/assault) damage to school property or behaviour which could place students/staff/or members of the public's health and safety at risk of significant harm.
- 4.5) Please note that this is not an exhaustive list, however, for any student found intentionally carrying out any of the above, permanent exclusion will be considered.
- 4.6) A student is deemed to be persistently breaching the schools behaviour policy and seriously harming the education of other students when they have accrued 25 or more days suspension in one school year.
- 4.7) The decision to exclude a student permanently is a serious one. There are two main types of situation in which permanent exclusion may be considered.
- a. The first is a final, formal step in a concerted process for dealing with disciplinary offences following the use of a wide range of other strategies, which have been used without success. This would include persistent and defiant misbehaviour including bullying (which would include racist or homophobic bullying) or persistent and serious disruption of teaching and learning across the school.
- b. 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 student for a first or 'one off' offence. These might include:
- Serious actual or threatened violence against another student or a member of staff.
  - Sexual abuse or assault.
  - Supplying an illegal drug (on or off the premises)
  - Possession or use of an illegal drug (on or off the premises)
  - Carrying an offensive weapon.
  - Arson
- The school will consider police involvement for any of the above offences.
- 4.8) Offensive weapons are defined in the Prevention of Crime Act 1953 as "any article made or adapted for causing injury to the person; or intended by the person having it with them for such use by them.
- 4.9) The Headteacher and authorised staff have the statutory power to search students without consent when they have reasonable grounds for suspecting that serious harm will be caused to a person if the search is not conducted immediately. This extends to instances where a member of staff has lawful control or charge of a student. These instances are not exhaustive but indicate the severity of such offences and the fact that such behaviour seriously affects the discipline and well-being of the school community.

4.10) Before deciding whether to exclude a student either permanently or for a fixed period the Headteacher will:

- Ensure appropriate investigations have been carried out.
- Consider all the evidence available to support the allegations, taking into account any appropriate school policies.
- Allow the student to give their version of events. Please note, these views may be taken retrospectively.
- Check whether the incident may have been provoked, for example by bullying or by racial or sexual harassment.

## **5. Exercise of discretion**

5.1) In reaching a decision, the Headteacher will always look at each case on its own merits. Whilst it is important to ensure that decisions are both fair and consistent, it is also true that the circumstances of each case will be different and therefore it will inevitably be the case that students will receive different sanctions and differing suspensions for what may seem to be similar offences.

5.2) In considering whether permanent exclusion is the most appropriate sanction, the Headteacher will consider:

- The gravity of the incident, or series of incidents, and whether it constitutes a serious breach of the school's behaviour policy and
- The effect that the student remaining in the school would have on the education and welfare of other students and staff.

5.3) In line with its statutory duty, these same two tests of appropriateness will form the basis of the deliberations of the Governors' Review Panel, when it meets to consider the Headteacher's decision to suspend or permanently exclude. This panel will require the Headteacher to explain the reasons for the decision and will look at appropriate evidence, such as the student's record, witness statements and the strategies used by the school to support the student prior to suspension.

## **6. Alternatives to Suspension**

6.1) The school will work closely with its Local Authority and other secondary schools to undertake a managed move where such a course of action would be of benefit to the student.

## **7. Behaviour Outside of School**

7.1) Students' behaviour outside school, whilst on school business, for example trips and journeys or a work experience placement, will be subject to the school's behaviour policy. Poor behaviour in these circumstances will be dealt with as if it had taken place in the school.

7.2) If students' behaviour in the immediate vicinity of the school or on a journey to or from school is poor and meets the school criteria for suspension, then the Headteacher may decide to suspend.

## **8. Governors**

8.1) The governing board emphasises that violence or threatening behaviour will not be tolerated in any circumstances.