

THE HOWARD PARTNERSHIP TRUST

SUSPENSIONS AND PERMANENT EXCLUSION POLICY

Date of Review: July 2024

Responsible body: The Howard Partnership

Review period: 2 yearly

Trust Committee: Standards & Performance

Next due for review: July 2026

Executive Lead: DCEO, with advice from THPT
Behaviour Lead

Status: Non-Statutory

Publication: Website

Related policies:

Respectful Relationships and Behaviour Policy

Anti-Bullying Policy

Drugs Policy

Equality Policy

SEND Policy

Purpose:

This document addresses the policy and practice that informs the use of suspensions and exclusions in THPT schools. It is underpinned by a shared commitment of all members of each school's community to ensure the safety and wellbeing of all members of that community, and to maintain a secure and safe educational environment conducive to learning, built on high expectations, aspirations and one within which children can flourish and feel that they belong.

This policy should be read in conjunction with:

Department for Education Suspension and Permanent Exclusion from maintained schools, academies and pupil referral units in England, including pupil movement Guidance for maintained schools, academies, and pupil referral units in England.

The current version of this document can be found on the [Department for Education's website](#)

CONTEXT

1. All THPT schools, staff and Trustees believe that a calm, safe and purposeful environment is the foundation for effective teaching and learning. It is vital that every child/young person can learn, and this can only be fulfilled in an atmosphere which is conducive to study. High standards of behaviour are expected and developed, to promote self-regulation and nurtures respect for others and the environment supported by a system of rewards and, where appropriate, consequences within the context of a positive and restorative environment.

2. In maintaining this ethos, it is important that there are clearly understood and established limits when attempts are made to undermine school standards. THPT schools firmly believe that the use of suspensions / permanent exclusion has a vital part to play in upholding these standards, however that these should be used as a last resort once all other strategies and measures have been fully explored
3. We understand that some children/young people do experience emotional and behavioural difficulties and accept our responsibility to offer support and to provide opportunities for such children/young people to improve their behaviour.
4. THPT acknowledge that the use of suspensions / permanent exclusion forms an essential part of schools' strategies to successfully manage the behaviour of children/young people, but that in supporting social inclusion, permanent exclusion should only be used as a last resort (see section below).

THPT schools will continue to adhere to the guidelines and procedures for suspensions / permanent exclusions from schools as laid down by current DfE guidance, as published on the [DfE website](#).

GUIDING PRINCIPLES

1. Children/young people who show signs of dysregulated behavioural and unexacted behaviour, which are not resolved by a THPT school's normal behaviour protocols, should move to the school-based stages of assessment and provision. Consideration of children's difficulties by means of these stages enables THPT schools to draw on increasing levels of support within the school and from external agencies. The prompt recognition of a child/young person difficulties combined with effective preventative work may avoid suspension/permanent exclusion later.
2. Only the Principals have the legal power to exclude a children/young people. If the Principal is absent, the power rests with the most senior teacher who should make clear that they are acting in the principal's absence. The principal must be informed as soon as is reasonably possible
3. THPT schools will take all reasonable steps to avoid suspending/ permanently excluding children/young people (in line with THPT's Respectful Relationships and Behaviour Policy and individual schools' protocols/procedures) and will implement appropriate intervention strategies to support them as individuals. Advice and guidance should be sought from Trust leaders and inclusion specialists, and from the LA.

These may include:

- Identifying any special educational needs and strategies that remove these barriers and provides access
- Meeting with the child/young person and parent/carer
- Negotiating agreements with the children/young people and parent/carer
- Restorative justice and mediation
- Using the detention system
- Removing the child/young person for a limited period from a specific activity-

- providing reflection time outside of the child/young person's usual scheduled
 - Individual work with the pastoral teams
 - Drawing up a positive behaviour plan (PBS plan)
 - Introduction of a safe from harm plan that mitigates risks of suspension and permanent exclusion
 - Use of a reflection space and/or 'out of circulation' to provide time outside of usual curriculum activities/thinking and reflection time
 - Referral to SALP (Surrey Alternative Learning Programme) where children/young people are at risk of permanent exclusion (link to guidance about this-use of APs)
 - Involving other external agencies where appropriate
 - Referral lead practitioners for behaviour and SEND
4. THPT recognises that it is of paramount importance to involve the parents/carers and the children/young people in all the strategies outlined, above as collaboration is key to success in bringing about the best outcomes. THPT recognises that in some cases, the co-operation/co production of parents/carers may not be secured, and this may make behaviour management more difficult.
5. Suspensions/ permanent exclusion serve to make a clearly understood statement that certain behaviour is not to be tolerated within THPT schools, and that children/young people and parents/carers are faced with their responsibilities and do respond to serious disciplinary issues. Suspensions and/or permanent exclusion may be used for any of the following, all of which constitute examples of unacceptable conduct:
- Verbal abuse/threatening behaviour against staff
 - Verbal abuse/threatening behaviour against children/young people
 - Physical assault on staff
 - Physical assault on children/young people
 - Bullying
 - Racist abuse
 - Sexual misconduct
 - Abuse against sexual orientation and gender reassignment
 - Abuse relating to disability
 - Damage
 - Drug and alcohol related incidents
 - Theft
 - Carrying an offensive weapon
 - Persistent disruptive behaviour
 - Inappropriate use of social media
 - Bringing the school into disrepute
 - Unacceptable behaviour which has previously been reported and for which the school sanctions and other interventions have not been successful in modifying the pupil's/ student's behaviour.

This is not an exhaustive list and there may be other situations where the Principal makes the judgement that suspension / permanent exclusion is an appropriate sanction.

6. The decision to suspend/exclude a child/young person should be taken only:
 - In response to serious breaches or persistent breaches of THPT's Behaviour Policy, **or**
 - If allowing the children/young people to remain in school would seriously harm the education or welfare of them or others in the school
7. Suspensions/ permanent exclusion will not be imposed in the heat of the moment unless there is an immediate threat to the safety of others or to the children/young people themselves.
8. Before a decision is made to suspend/ permanently exclude a child/young person, the Principal will ensure that a thorough investigation has been carried out, consider all the evidence available to support the allegations, provide an opportunity for the child/young person to give their version of events, check whether the incident may have been provoked e.g. by bullying or racial, sexual or prejudice related harassment, if necessary, consult others and keep a written record of the actions taken.
9. The standard of proof to be applied is the balance of probabilities. The more serious the allegation, the more convincing the evidence substantiating the allegation needs to be.
10. The Principal should take particular care in considering whether suspension/permanent exclusion is a suitable response to a disciplinary offence committed by a child/young person with a Statement of Special Educational Needs/ Education, Health Care Plan (EHCP), a pupil/student who has protected characteristics as set out in the Equality Act 2010, a child/young person or a child/young person with LAC status.
11. For behaviour outside school, the Principal may suspend/exclude a child/young person whose behaviour has brought the school into disrepute or if that children/young person's actions would jeopardise the maintenance of good behaviour and discipline amongst the children/young people body as a whole.
12. During the period of suspension (first 5 days for a permanent exclusion) the school will endeavor to set work for the pupil/student to complete and arrange for it to be marked.
13. Where a child/young person is given a suspension of duration of six days or longer, the school has a duty to arrange suitable full-time educational provision from and including the sixth school day of the exclusion. Generally, this will be provided at another THPT school.
14. During the suspension the child/young person is the responsibility of the parent/carer and may not enter the school buildings or grounds or be in the vicinity of the school. It is the parent's responsibility to ensure that the child/young person is not present in a public place during school hours during the period of the suspension unless there is a reasonable explanation. Parents can receive a penalty notice from the LA if they do not comply with this.
15. The reintegration of pupils/students into school following suspension is an essential part of ensuring the suspension has the desired effect and forms part of the process to support the child/young person's return to school.
16. Suspensions/exclusions will be recorded on the child/young person's records.

PROCEDURES

THPT schools follow the procedures contained in the current version of DfE's guidance: **Suspension and Permanent Exclusion from maintained schools, academies and pupil referral units in England, including pupil movement** as published on the DfE [website](#).

SUSPENSIONS

The Principal must consider the following factors that will decide the length of the exclusion:

- The seriousness of the offence
- The number of previous exclusions (for repeat offences the exclusion is likely to get longer)
- Any special mitigating circumstances
- Legal considerations
- Safeguarding concerns
- SEND and protected characteristics that need reasonable adjustments in
- Equalities Act

PERMANENT EXCLUSIONS

These will only be used by a THPT school as a last resort. Normally permanent exclusion would not be used for a first offence, or before alternative strategies had been attempted. However, under exceptional circumstances, such as serious actual or threatened violence against another child/young person or member of staff, sexual abuse or assault, supplying an illegal drug or carrying an offensive weapon, it may be appropriate to move straight to permanent exclusion. The decision to permanently exclude is delegated from the THPT Trust Board to the Senior Trust Leaders. The Clerk will establish an Exclusion Panel made up of three panel members to fully consider any permanent exclusion, through a permanent exclusion hearing in which both the school and parents/carers may present their case. The Local Authority will always be invited to a permanent exclusion hearing so that they are able to provide the LA's view of the case and/or make representations.

The decision to exclude a child/young person permanently should be taken only:

in response to serious breaches or persistent breaches of the school's Respectful Relationships and Behaviour policy, **and**
if allowing the children/young people to remain in school would seriously harm the education or welfare of them or others in the school.

We value the specialised support which multi-professional agencies currently provide in terms of managing the special needs of emotionally dysregulated children/young people through a multi-agency approach and, whilst this support is available, no permanent exclusion will be sanctioned prior to discussing the case with these agencies.

STUDENTS WITH SPECIAL EDUCATIONAL NEEDS AND DISABILITIES (SEND)

1. Other than in the most exceptional circumstances, THPT schools will endeavor to avoid permanently excluding pupils/students with a Education Health Care Plan (EHCP).

2. THPT schools will make every effort to avoid permanently excluding pupils/students who are being supported on School Support (K) under the Special Educational Needs (SEND) Code of Practice, including those on pathway plans who are being assessed for an Education, Health Care Plan (EHCP).
3. THPT schools will seek advice and support from the LA and other professional agencies as appropriate.

PUPILS/STUDENTS WITH A DISABILITY

1. THPT schools have a legal duty under the Equality Act 2010 not to discriminate against disabled pupils/students by excluding them from school because of behaviour related to their disability.
2. THPT schools will take reasonable steps to ensure that pupils/students with disabilities are not placed at a substantial disadvantage compared with their peers without disabilities. What constitutes a reasonable step will depend on the circumstances of each case.

LOOKED AFTER CHILDREN

1. THPT schools will proactively support and co-operate with foster carers and the local authority as a corporate parent in doing everything possible to avoid excluding a looked after child.
2. Suspension/permanent exclusion of looked after children would only be considered as an absolute last resort.
3. No looked after child will be suspended/ permanently excluded without discussion with the LA.
4. Where a looked after child is suspended/permanently excluded, a THPT school will attempt to arrange alternative provision from the first day of the suspension/permanent exclusion via the virtual school and/or Surrey Alternative Learning Programme (SALP).

APPEALS

Exclusions Panel

The decision as to whether to reinstate a suspended or excluded student rests with the Exclusion Panel, under THPT's Scheme of Delegation. The Exclusion Panel consists of three people one from each group below:

- Head of Phase Improvement, or an Executive/senior School Improvement leader, or a member of Executive Leadership Team (ELT)
- A senior leader from any school other than the excluding one, or a Head of Phase Improvement, or an Executive/ senior School Improvement leader, or a member of the ELT
- A member of a THPT Local Governing Board, or a Trustee, or a Governor of any school.

THPT will provide regular training for all members of Exclusion Panels and Clerks but accepts that there will be exceptional circumstances when untrained members will be asked to join or clerk for the panel. Clerks will not be from the child's school but may be administrative staff members from a nearby school, except the excluding school.

1. A parent can make representation to the Exclusion Panel or consideration of any Suspension / permanent exclusion via the Clerk to the Trustees.
2. Parents or carers have a legal right to request an Independent Review Panel (within the legal timeframe) to review the decision of an Exclusion Panel not to reinstate a permanently excluded pupil.
3. Parents also have the right to make a claim of discrimination in relation to the exclusion to the first-tier tribunal (Special Educational Needs and Disability) or County Court.