



SUSPENSIONS AND EXCLUSIONS POLICY

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Other relevant policies:

Behaviour Policy

Positive Handling Policy

Health & Safety Policy

Risk Assessment Policy

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I. Introduction

At Abbey School we believe that children and young people best learn, thrive and achieve in a positive, ambitious yet nurturing environment where all members of our school community – be they adults or children – feel safe and supported in their day-to-day participation in school life.

Our designation as a special school for children with autism, who may have additional learning difficulties and behaviours that challenge means that decisions by the Local Authority to place a child or young person at Abbey School may occur following a breakdown in the child's previous setting and sometimes as a result of exclusion e.g. the Local Authority has exhausted all within-borough education provision for the child or young person and seeks to secure specialist, out of borough placement. As such, some children and their families have some experience of suspensions and/or exclusions before they reach Abbey School.

The Department for Education guidance explains that pupils with special educational needs (SEN) and looked after children are especially vulnerable to the impacts of suspensions and exclusions. It is advised that Principals and Headteachers should, as far as possible, avoid permanently excluding these pupils. It is therefore all the more important that children and young people and their families are aware that although the Principal retains the power to authorise suspensions and permanent exclusions, the decision to exclude, whether for a fixed term period or permanently, is a very serious consideration and in normal circumstances will only be used as a last resort when a range of other strategies have been exhausted. Only the Principal or, in his/her absence, the Deputy or Assistant Principal acting with the authority of the Principal, can suspend or exclude a pupil.

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

Policy Summary

All children have a right to education. A decision to exclude a pupil on a fixed term suspension or permanent basis will only be considered in exceptional circumstances and only when all alternatives to exclusion have been implemented and exhausted.

A decision to suspend a pupil for a fixed-term might be considered as the last resort when:

- Serious and/or repeated incidents have taken place
- Allowing the pupil to remain in school would seriously harm the education or welfare of the pupil or others such as pupils or staff in the school
- A 'cooling off' period is considered essential for the pupil and/or time over and above what can reasonably be expected within the normal responsibilities of teaching and estates staff is required to reorganise rooms, repair and make safe property damage, adjust teaching arrangements or to prepare new materials.

A decision to exclude a pupil permanently would only be considered in very rare and exceptional circumstances and only when all alternatives to exclusion have been implemented and exhausted. These might be:

- In response to serious or persistent breaches of the school's behaviour policy and;
- 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.

The decision to permanently exclude is an acknowledgement by the school that it has exhausted all available strategies for supporting the pupil.

Although Abbey School is an Independent Special School, we follow the guidance issued by the DfE for maintained schools, academies and pupil referral units as much as possible to ensure that our policies and procedures are fair and transparent. This policy has been developed using the current DfE guidance 'Suspension and permanent exclusion from maintained schools, academies and pupil referral units in England, including pupil movement (2024).

The principle legislation to which the DfE 2024 guidance relates is:

- The Education Act 2002, as amended by the Education Act 2011;
- The School Discipline (Pupil Exclusions and Reviews) (England) Regulations 2012;
- The Education and Inspections Act 2006;
- The Education Act 1996; and
- 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.

To avoid the need for exclusion the school initiates three stages of support and recording prior to any fixed-term suspension or permanent exclusion. The only exception being when the impact of one incident is so severe that an immediate decision to exclude on a fixed-term basis is required to avoid serious harm to the education and welfare of the pupil or others in the school.

1.1. Stage one:

Staff working with the pupil observe (or feel) that there may be an escalation of behaviour that, without further targeted intervention, might lead to circumstances where a fixed term suspension or permanent exclusion may be the only action available.

Reporting and responding to Stage One concerns:

- Internal reporting of the incident(s)/concerns by the class team to the Assistant Head (PBS) using incident/accident software (where applicable). Assistant Head (PBS) will meet with the team to gain further information and will keep the senior leadership team informed.
- Assistant Head (PBS) will record what short term management action has taken place in response to the incident(s)/concern(s) raised. This may include reasonable adjustments such as changes to the behaviour support plan, additional staff training, a review of the pupil's curriculum or adaptations to the environment.
- Parents/carers are kept informed of the incident(s)/concern(s) via the parent App or their preferred method of receiving information from school.
- Referral is made for the pupil of concern to the Assistant Head (PBS) to seek advice and supervision on further assessment, support strategies and involvement of external multi-agency professionals (where applicable).
- Support is offered to both monitor and develop strategies to overcome the issues. The pupil's behaviour support plan is revised if appropriate.

Parents are notified by the Assistant Head (PBS) of the actions being taken and the timeframe within which improvements are expected to be observed. Parents/carers are advised that these are being implemented as an alternative to suspension and/or exclusion. Where there is concern because of persistent incidents of a similar nature, it should not be a surprise to parents/carers that the school is implementing alternatives to suspension and/or exclusion.

1.2. Stage Two:

Reporting and responding to Stage Two concerns:

- An internal discussion is arranged by the Assistant Head (PBS) involving the trans-disciplinary team and appropriate members of the senior leadership team to explore further strategies

(e.g. whether to agree a fixed-term intervention of an increased staff ratio, or a fixed term intervention of a pupil receiving individual teaching in a separate space).

- Parents/Carers are contacted in person by the Assistant Head (PBS), followed up by letter informing them that the incidents(s)/concern(s) are continuing and that the strategies being implemented are not having the desired impact. Parents/carers are advised that should further strategies fail to have a positive effect, a supportive 'Case Conference' will be held in school to discuss the matter further and agree next steps.

1.3. Stage Three:

Reporting and responding to Stage Three concerns:

- Staff working with the pupil observe (or feel) that the escalation of behaviour support and the internal strategies implemented thus far have failed to positively affect the behaviour of concern within the time period agreed at Stage Two and that without further targeted intervention, might lead to circumstances where a fixed term suspension or permanent exclusion may be the only action available
- A 'Case Conference' is called by the Assistant Head (PBS) and is attended by the Principal/Deputy Principal. The Case Conference will be led by the Assistant Head (PBS) and should involve the parents/carers, staff working with the pupil as appropriate, and any external agencies involved or applicable to the context. A letter is sent to the Local Authority (LA) informing them of the Case Conference, the details of the issue and inviting them to attend should they wish to.
- The key objective of the Case Conference is to determine whether it might be possible to change the behaviour of concern or whether a fixed-term suspension or permanent exclusion would be appropriate.

An exclusion should not be given at Stage Three whilst waiting for a Case Conference to be organised unless a serious incident occurs. The pupil's voice must be heard as part of the Case Conference utilising the Abbey School Pupil Voice Toolkit.

Unlawful suspensions/exclusions

It is unlawful to exclude a pupil or increase the severity of an exclusion for non-disciplinary reasons such as:

- The pupil having additional needs or a disability that the school feels unable to meet
- Academic ability or attainment
- The pupil failing to meet specific conditions before he or she is reinstated following a fixed-term exclusion
- The actions of the child's parents/carers

When deciding whether to suspend or exclude a pupil, the Principal must consider the school's responsibilities under the Equality Act 2010. Schools must not discriminate against, harass or victimise pupils because of their sex, race, disability, religion or belief or sexual orientation; because of pregnancy/maternity; or because of gender reassignment. The Principal must ensure that all school policies and practices do not discriminate against pupils by unfairly increasing their risk of exclusion. 'Informal' or 'Unofficial' exclusions such as sending a pupil home to 'cool off' or reducing the length of a child's day in school are unlawful whether or not they occur with the agreement of the parents or carers. Any exclusion of a pupil, even for a short period of time, must be formally recorded.

Fixed term suspension

A decision to suspend a pupil for a fixed term will only be considered in exceptional circumstances. These might be where:

1. Serious and repeated incidents have taken place
2. Allowing the pupil to remain in school would seriously harm the education or welfare of the pupil or of others in the school such as pupils or staff

3. A 'cooling off' period is considered to be essential for a pupil or pupils and/or time is needed to reorganise the classroom, teaching arrangements or prepare new materials, in the context of adapting the school environment in order to continue to meet the pupil's needs and where the necessary time to do this is over and above what can be carried out within the normal expectation of teaching or estates staff.

Before any decision to suspend for a fixed term is reached, the Principal will consider all the relevant facts in the context of the school's policies for behaviour, safeguarding and child protection and equal opportunities and consult with colleagues. A fixed-term suspension will not take place without prior discussion with parents/carers about the issues that have led to considering the suspension and the implementation of the Stage 3 process outlined above, unless point number 3 (described above) occurs.

The length of the suspension must be fixed for a precise period of time, and reasons for the suspension given in a letter within one school day. Usually the parent/carer will be informed by telephone on the day of the exclusion by the Principal. The parent/carer has a right to make representations to the School's governing board, and the letter should set out how to do this and who to contact.

The maximum amount of time for which a child can be suspended, is 45 days in any single school year. It is also possible to exclude a child for lunch times only. Each day of lunchtime exclusion counts as a half day exclusion.

The school will take reasonable steps to set and mark work for a pupil during the first five school days of suspension, during which time the parents/carers can be expected to provide supervision for their child. However, there are obvious benefits in arranging alternative provision to begin as soon as possible after exclusion. For a fixed period of suspension of more than five school days, the school must arrange suitable full-time education or any pupil of compulsory school age. This must begin no later than the sixth day of the exclusion.

Permanent exclusion

A decision to permanently exclude a pupil would only be considered in very rare and exceptional circumstances and only when the three-stage process had been completed and exhausted. These might be:

- In response to a serious breach, or persistent breaches of the school's behaviour policy **and**;
- Where allowing the pupil to remain in school would seriously harm the education or welfare of the pupil or others in the school such as pupils or staff.

Before any decision to permanently exclude is reached, the Principal will take account of any contributing factors that are identified after a serious incident of behaviour that challenges has occurred. These might include where a pupil has suffered a bereavement, has been subject to bullying, has been involved in a traumatic event, or where their needs beyond school have been identified as not being met.

Behaviour that challenges is often an indication of unmet needs. Where the school has concerns about a pupil's behaviour it will try to identify whether there are any causal factors and intervene early to reduce the need for a subsequent exclusion. In this situation the school will consider a multi-agency assessment that goes beyond the pupil's educational needs.

The Principal will consider all the relevant facts in the context of the school's policies for behaviour, child protection and equal opportunities and consult with colleagues. It is highly unlikely that any permanent exclusion will take place without a history of discussion with the child's parents/carers and LA. The decision to permanently exclude is an acknowledgement by the school that it has exhausted all available strategies and resources for supporting a pupil.

For permanent exclusions, the LA must arrange suitable full-time education for the pupil. This must begin no later than the sixth day of the exclusion.

Where a permanently excluded pupil has an EHC Plan, the LA must ensure that an appropriate full-time placement is identified in consultation with parents/carers. Parents/carers retain their right to express a preference for a school should they wish for their child to attend, or may make representations for a placement in any other school.

Management of a permanent or fixed period exclusion

(a) Notification

Except in very rare circumstances a fixed term suspension or permanent exclusion will be planned. Parent/Carer and LA representatives will be informed well in advance through their involvement in meetings to discuss prior steps and ongoing management issues. Any suspension or exclusion must be treated in the strictest confidence.

- If a fixed-term suspension or permanent exclusion is considered necessary, the Principal must without delay, notify the parents/carers of the pupil concerned, of the period of suspension or permanent exclusion and the reason(s) for it. Initial contact should ideally be made by telephone to enable parents to ask any immediate questions, however, this should be followed up by a letter explaining the circumstances. The letter should include:
 - For a fixed period suspension, the precise period of the suspension;
 - For a permanent exclusion, the fact that it is a permanent exclusion;
 - The reasons for the suspension or exclusion;
 - The parents/carers' right to make representations about the exclusion to the School's governing board and how the pupil may be involved in this;
 - The person the parent/carers should make contact with if they wish to make representations about the exclusion;
 - The arrangements for the pupil to continue his/her education during the first five school days of the exclusion;
 - The name and telephone number of an LA officer the parent/carers may contact for further advice;
 - The school should notify the child's home local authority without delay;
 - Within one school day the Principal must inform the school's governing board and Proprietor of:
 - Permanent exclusions;
 - Suspensions which would result in the pupil being excluded for more than five days (or more than ten lunchtimes) in one term; and
 - Suspensions which would result in the pupil missing a public examination.

(b) Representations

If the parent/carers or LA wish to make representation about a pupil's suspension or exclusion they will inform the school's governing board. The Board will arrange a panel to include the Chair of the Board, another Advisory Body Member and the Proprietor to hear the representations.

The Principal will provide an exclusion report for the panel. This will include:

- The pupil's name, age, gender and ethnicity;
- The length of the exclusion;
- The reason for the exclusion and any associated reports;
- Whether or not the pupil is in looked after by the local authority;

- For fixed term suspensions of pupils of compulsory school age, where the suspension is for more than five school days, what alternative provision has been put in place for the pupil.

The panel chair will determine the date the panel will meet and ask the parent/carer/LA to provide any written statements one week in advance of the meeting. Parents/carers will be informed that they may be accompanied by a friend or advocate if they wish.

The panel chair will circulate the Principal's report and any written statements prior to the meeting.

(c) Meeting to consider a LA or parent/carer representation about an exclusion

The meeting will be convened by the chair within the agreed time limits or as soon as possible thereafter by mutual agreement. When reinstatement is a practical option, the panel will consider the information presented and decide whether the Principal should be directed to reinstate the pupil or not. This decision will be given to all involved within twenty-four hours. If the decision is for reinstatement, then Principal will be required to make the necessary reintegration arrangements.

If the decision of the panel is to uphold the suspension or exclusion, then parents/carers will be informed of this outcome as soon as is practicably possible.

(d) Pupils who have a social worker, including looked-after children and previously looked-after children

Where a pupil has a social worker, e.g. because they are the subject of a Child in Need Plan or a Child Protection Plan, and they are at risk of suspension or permanent exclusion, the Principal should inform the social worker as early as possible to involve them in relevant conversations.

Where a looked-after child is likely to be subject to suspension or permanent exclusion, the Designated Teacher (DT) should contact the local authority's VSH as soon as possible. The VSH, working with the DT and others should consider what additional assessment and support need to be put in place to help the school address the factors affecting the child's behaviour and reduce the need for suspension or permanent exclusion. The school should also engage with the child's foster carers or children's home workers.

Where a suspension or permanent exclusion has been issued and the pupil concerned has a social worker, then the social worker will be notified without delay.

(e) Length of fixed period of exclusion

There is no requirement for the Principal to inform the governing board of short, fixed period suspensions (i.e. those up to and including 5 school days in total in any one term). However, Abbey School views it as good practice to inform the Proprietor and the governing board of any intention to exclude.

(f) Education of suspended or excluded pupils

The School recognises that in the event of a suspension or exclusion of any pupil an interruption in the education of that pupil will occur. In the event of a suspension or exclusion taking place, the school will work with the parent/carers and the LA to support continuity of education. The continuation of one-to-one support away from the school is not always practicable. In those circumstances, the school will seek to advise both parents/carers and the LA on appropriate strategies that might be employed in other settings.

In some circumstances a managed move might be considered to another school, which must be able to meet the needs of the pupil. This would only occur through considerable consultation with

parents/carers and the LA to ensure that appropriate provision is identified. Where a pupil has an EHC Plan, is looked after by the LA, or where there is other support from, for example, health or care services, those services must be actively involved in review/planning meetings prior to the managed move process.

(g) Preparation for reintegration to school after fixed-term suspension.

A plan will be drawn up by the Assistant Head (PBS), to support a young person's reintegration to school following any period of suspension. All members of staff working with the pupil need to be informed of this plan and involved in the content where applicable.

A programme of reintegration will be put in place following a fixed-term exclusion. This will be discussed with parents/carers and the pupil where possible at or prior to the reintegration meeting, which will be conducted by a member of the Assistant Head (PBS) on or before the pupil returns to school. Other key members of staff may be involved in this discussion. Reintegration programmes will be based on a functional analysis of the pupil's behaviour that challenges and may involve:

- Returning to school initially on a reduced timetable and gradually building up time spent in school
- Teaching being delivered off-site by members of staff for fixed periods of time, reviewed at regular intervals agreed with the pupils and parents/carers
- Having 1:1 teaching space made available on-site with gradual reintegration into class. This will usually be reviewed on a weekly basis.
- Placing the pupil on an individualised timetable. This will usually be reviewed on a weekly basis.

The aim is always to successfully reintegrate the child back into class full-time, as far as possible.

Alternatives to exclusion

If the school feels that it can no longer meet the needs of a particular pupil, the school may ask the LA to identify another school to take over his or her education. This should only be done with the full knowledge and cooperation of all parties involved, including the parents/carers and LA, and in circumstances where it is in the best interests of the pupil concerned. Parents/Carers should never be pressured into removing their child from the school under the threat of a permanent exclusion.

Abbey School does not use exclusion as a punishment, as we recognise that our pupils are often unable to understand that the exclusion is a consequence of their actions.